Tros Tyriusque mihi nullo discrimine agetur

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POLITICS AND BUSINESS

THE PRESIDENT'S CHANGE OF MIND

BY THE EDITOR

WHETHER consistency be regarded as, indeed, a jewel or, accepting Emerson's definition, as a mere "hobgoblin of little minds adored by little statesmen," the wide latitude accorded to their Presidents by the American people in this respect is so noteworthy as to have become almost proverbial. The correctness of the theory that one should not hesitate to profit from knowledge acquired through experience was realized long before Our Colonel began to blow first hot and then cold to conform to the exigencies of practical politics, but undeniably he taxed it to the utmost without sensibly depreciating his popularity. Because of temperamental differences, that which in him was a change of heart becomes necessarily in our present Chief Magistrate a change of mind, but the effect is substantially the same—a fact which accounts for the quite general approval of the President's seeming reversal of his attitude toward business and business men, as indicated by his personal reception of Mr. Morgan and his official appointments of Mr. Warburg and Mr. Jones.

Whether or not it be true, as carefully hinted from the White House, but, speaking candidly, doubted elsewhere, that the interview with Mr. Morgan took place at his own solicitation betokens little or nothing; the true significance

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of the happening clearly lies in the President's obvious and happy conclusion that his standing before the masses has now become sufficiently secure to enable him to come into actual personal contact with the foremost banker of the country without endangering his political prospects. True, shortly after his rebuff of Mr. Vanderlip and Mr. Davison, the President did admit Mr. Speyer to his presence, but without enthusiasm and only after seeing to it that the door should be left ajar to guarantee the pitilessness of requisite publicity. Wholly aside, too, from the persistence of the banker painstakingly heralded by the alert Secretary to the Administration, there was the further consideration that Mr. Speyer, in common with other distinguished members of his race, had demonstrated his fidelity to true political ideals by contributing freely of his accumulated possessions to the success of the Democratic candidate in 1912. No such reason applied in the case of Mr. Morgan, who, it will be recalled, openly espoused the cause of Mr. Taft without manifestation of shame or apparent suspicion of wrong-doing.

The incident, therefore, appealed to sagacious journalists as a notable event signalizing an abrupt departure on the part of the President from a fixed policy of exclusion of all whose favorable opinion and faithful obedience rested under the faintest shadow of doubt. A further natural conclusion was to the effect that the President was not only desirous of acquiring more explicit information respecting the condition of business throughout the country than he had been able to derive from the official bulletins of the ebullient Secretary of Commerce, but also was willing to convey the impression to the minds of restive manufacturers and merchants of wonted tolerance toward the great body of citizens engaged in commercial pursuits. Needless to remark, such an inference would have been most welcome to those business men not addicted to Christian Science who have imagined the existence of industrial depression. There was, in consequence, a dash of disappointment in the official announcement that "Mr. Morgan knew the President at Princeton," and "the personal element in the call was a large one," and in the President's reported assertion that "the talk had been a cordial one, largely reminiscent, and that Mr. Morgan expressed no opinion on whether business was good or bad." There had been no occasion to discuss pending legislation. The President's programme

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was fixed inflexibly and he had no intention whatever of departing from his custom of making the irrevocable acceptance of a definite plan antecedent to the taking of the " common counsel " so highly commended as a constituent element of the newest freedom. If the reminiscences took the form of repetition of opinions of each other said to have been expressed during the past few years by the two old college chums, the meeting could hardly have suffered from lack of interest to the verge of piquancy, but the general impression that the President's chief purpose was to convince Mr. Morgan of the advisability of first completing the series of surgical operations upon business and then providing a protracted rest-cure is probably correct. In any case, " the President added that the attitude of business men seemed to be growing in favor of the Administration trust programme "—an omen surely of the great wave of prosperity which is expected to envelop the country as soon as the crops shall be harvested or a Republican Congress shall be elected—or perhaps both.

The most striking evidence of the President's change of mind was afforded by his appointment of Mr. Warburg and Mr. Jones to membership of the powerful Federal Reserve Board—the one being a partner in the great banking-house of Kuhn, Loeb & Co., and the other a director of one Trust whose dissolution is being sought by the Government and a large stockholder in another whose profits are extraordinary. Although each was known to the business world as a financier of exceptional capacity, the name of neither was familiar to the public, and the Senate quite naturally, and to our mind quite properly, required specific information as a preliminary of confirmation.

Despite the apparently unanimous opinion of bankers and the New York public journals to the contrary, we can reach no other conclusion than that Mr. Warburg erred in refusing to appear before the committee which was charged with the duty of determining his qualifications. Under the law the Senate was required to share the responsibility for his selection with the President, and clearly was entitled to full knowledge of any facts which might conduce to intelligent judgment. Nor was there the slightest impropriety in requesting Mr. Warburg to appear before the committee in person and answer or decline to answer such inquiries as the members might see fit to make. Indeed, considering Mr.

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Warburg's comparatively brief residence in this country, his quite recent naturalization, his never having voted, and his lack of acquaintanceship with Senators, the suggestion seemed so fully warranted as likely to be the most effective and satisfactory, that one can but wonder at its lack of ready response from a mind accustomed to directness in thought and action. That there was any disposition to irritate Mr. Warburg or to embarrass him by placing him in a false light through criticism of his associates we can only regard as an assumption. In any case, no evidence to that effect or of preconceived hostility has appeared; nor is there reason to believe that the committee would have resented courteous refusal by Mr. Warburg to answer questions which he might have considered irrelevant. The natural and, we are convinced, the correct supposition is that Mr. Warburg's qualifications are so obviously apparent that, if he had acceded to the wholly proper request of the committee, his nomination would have been confirmed promptly and unanimously. If it should finally fail or be withdrawn, we cannot but consider that the loss to the country of exceptionally valuable services will be attributable to personal supersensitiveness rather than to official obduracy.

That the President appreciated the peculiarity of Mr. Jones's appointment and anticipated the probability of opposition is made manifest by the plea which he advanced in his letter to Senator Owen. Of all the unusual steps taken by the President to achieve a personal purpose this was perhaps the most striking, and, but for the assumption that he had been misinformed, which unhappily is mystified by his insistence in the face of Mr. Jones's own revelation, could hardly be reckoned defensible.

"I am afraid," the President wrote, "that Mr. Thomas D. Jones is the man about whom the committee will have the least information, and I venture to write you this letter to tell you what I know, and fortunately I can say that I do really know it."

Following this positive assurance of definite knowledge of the facts, he said:

> His connection with the Harvester Company is this: He owns one share, and only one share of stock in the company, which he purchased to qualify as a director. He went into the board of the Harvester Company for the purpose of assisting to withdraw it from the control which had led it into the acts and practices which have brought it under the criticism

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of the law officers of the Government, and has been very effective in that capacity.

His connection with those acts and practices is absolutely nil. His connection with it was a public service, not a private interest, and he has won additional credit and admiration for his courage in that matter.

Commenting with characteristic terseness and in this instance with exceptional accuracy, Sir George Perkins, who in conjunction with Mr. Cyrus H. McCormick and Mr. James Deering organized the Harvester Trust, promptly remarked:

From the above statement the average reader can gather but one impression, *viz.*, that Mr. Jones, as a public-spirited citizen, acquired one share of stock in the Harvester Company so that he could enter its board of directors to assist other men on that board to withdraw the company from a control that was pernicious, and to correct acts and practices that were wrong and which have been condemned by the law officers of the Government; that by exercising great courage he has effected these changes and has won additional credit and admiration for his course.

Sir George vigorously denied these allegations in the following words:

At the time Mr. Jones entered the board there was absolutely no division in the board on the subject of the company's practices, so that Mr. Jones could not have entered it to join any particular faction concerned over the company's practices and looking for help to bring about reforms. There was no suggestion by Mr. Jones or any one else that he should come on the board to assist in reforming the company. Indeed, he came on the board at the invitation and through the votes of the very men who were responsible for the company's organization and subsequent management. There has been no revolution in the methods or conduct of the company since Mr. Jones became a director. We have, without exception, been a unit in believing that the company's methods have been not only legal, but honorable and fair.

Here was involved a distinct issue of fact which could be resolved satisfactorily only by Mr. Jones himself, who appeared promptly before the committee and caused no little amazement by confirming Mr. Perkins's statement in every particular. Excerpts from his testimony are as follows:

Senator HITCHCOCK. Would you like to state to the committee your reasons for your going into the directorate of this company without having any financial interest in it?

Mr. JONES. Certainly. I had been on terms of close intimacy with the McCormick family since I went to Chicago, over thirty years ago, and in the early part of 1909 they said to me that there was a vacancy on the board of the Harvester Co. and they would like me to consent to become a director. I told them what they knew already, that I had no interest what-

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ever in the stock of the concern, and had no plans contemplating an investment; and they said they knew that, and that it was not an investor in stocks that they were looking for; it was somebody who could afford to give the time and was willing to give the time—such time as would be demanded as a director of the company—and they asked me as a personal favor to consent to do so.

Senator HITCHCOCK. Not for any compensation?

Mr. JONES. Not the slightest nor the promise of any or the expectation of any.

Senator POMERENE. When you say "they," will you please state the names?

Mr. JONES. Mr. Cyrus H. McCormick was the man who asked me; but he told me that he was speaking on behalf of his mother and brother and sister and the family. My acquaintance had been a family acquaintance from the time I went to Chicago.

Senator HITCHCOCK. It was then a matter of personal feeling for the McCormick family that led you to become a director, acting on a desire to gratify them?

Mr. JONES. The request was made to me as a personal favor, a personal matter, and that was the initial motive in my giving consent.

. . . . . .

Senator HITCHCOCK. Are there any other questions?

Senator CRAWFORD. Just this: Before Mr. McCormick suggested that you take a place on the board of directors did he give you an outline of the reasons why he wanted you on the board and what particular theories or purposes he had in mind to carry out in connection with this organization and its future plans?

Mr. JONES. No, sir. I have given substantially the entire transaction. He merely asked me, on the score of old and long-standing friendship, to consent to go on the board.

Senator CRAWFORD. And you did not commit yourself to any specific plan?

Mr. JONES. I did not, sir, at all.

Senator CRAWFORD. That is all.

Mr. JONES. And I was not asked to.

. . . . . .

Senator HOLLIS. I would like to ask a few questions: In 1909, Mr. Jones, you had to make up your mind whether you would become a director of the International Harvester Co.?

Mr. JONES. Yes, sir.

Senator HOLLIS. And you had to satisfy yourself upon certain problems. Now, you knew at that time that the International Harvester Co. was popularly called the Harvester Trust?

Mr. JONES. Yes, sir.

Senator HOLLIS. And you knew that throughout the West, or in some sections, there were charges that they acted as a monopoly, acted oppressively, and raised prices by unfair means. You knew those charges were made?

Mr. JONES. I did.

Senator HOLLIS. You did not want to become a director in a concern like that, did you?

Mr. JONES. No, sir.

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Senator HOLLIS. And therefore you had to pass judgment for yourself as to whether those charges were true?

Mr. JONES. In a general way, I did.

Senator HOLLIS. Yes; in a general way.

Mr. JONES. I did.

Senator HOLLIS. Now, if you had believed that these other officials with whom you associated yourself were lawbreakers and were acting in violation of the Sherman Anti-trust law, would you have become a director?

Mr. JONES. No, sir; I would not if I thought so at the time.

Senator HOLLIS. At the time; I am speaking about 1909.

Mr. JONES. Yes, sir.

. . . . .

Senator HOLLIS. Now, going back to the 1909 situation, when you joined the company, was there any reason in the world why you should have associated yourself at that time with a company of lawbreakers?

Mr. JONES. Not the slightest.

Senator HOLLIS. Was there anything in it for you?

Mr. JONES. Nothing whatever in it, either financial or sentimental. I believed that the gentlemen who asked me to go in were not lawbreakers, and that is the reason I went in. If after I went in I had found out that they were, I would have gone out of the company.

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Senator REED. You knew of the contention which the Government was making, that the International Harvester Co. and its allied corporations constituted a combination in restraint of trade in this country?

Mr. JONES. I did.

Senator REED. And you took part in the segregation of the European business from the American business?

Mr. JONES. I did, sir.

Senator REED. Thus to that extent eliminating that company from any attack which might be made by this Government?

Mr. JONES. I did.

Senator REED. And you knew that the Government contended that this was a combination in restraint of trade?

Mr. JONES. That the International Harvester Co. was; yes, sir.

Senator REED. Yes. And it contended that even after the segregation of the European business?

Mr. JONES. Yes, sir; but not as to the European business.

Senator REED. No; not as to the European business; but it contended that the business here in the United States was still a combination in restraint of trade and a monopoly?

Mr. JONES. Yes, sir.

Senator REED. Now, Mr. Jones, what did you do, if anything, toward endeavoring to secure a dissolution of this monopoly here in the United States which the Attorney-General was charging and complaining was a monopoly?

Mr. JONES. Well, I cannot claim, Senator, that I advanced any specific proposal for the segregation. Various suggestions were made to the Attorney-General in an attempt to meet his views as to what ought to be done.

Senator REED. Well, did he state what his views were? Did you understand what the Attorney-General's views were?

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Mr. JONES. No, sir. I had no personal interview with the Attorney-General.

Senator REED. Well, I mean you got it from your representatives and attorneys and agents, who came and laid it before the board of directors?

Mr. JONES. Yes, sir.

Senator REED. You then knew in a general way what the Attorney-General's views were?

Mr. JONES. I knew in a general way that the Attorney-General insisted that the corporation would have to be split up, and the question was to what extent it would have to be split up.

Senator REED. Did you ever make any motion to the board of directors to split it up and make it conform to the requirements of the Attorney-General?

Mr. JONES. I did not.

. . . . . .

Senator NELSON. Well, Mr. Jones, I will put the question to you in a brief form. On the whole, you approve the course of this company; you approve the course of this New Jersey company and its two affiliated companies?

Mr. JONES. Since I became a member of the board of directors.

Senator NELSON. And indorse everything they have done since then?

Mr. JONES. Since then.

Senator NELSON. And approve of it?

Mr. JONES. I do, heartily.

It appears, then, that, unless Mr. Jones mistakes his own motives the President was misinformed in these particulars: (1) Instead of going into the board "for the purpose of assisting to withdraw it from the control" then existing, Mr. Jones became a member solely to oblige his friend, Mr. McCormick, who as president and chief owner had constituted a large element of that control; (2) Instead of being animated by a desire to reform "the acts and practices which have brought it under the criticism of the law-officers of the Government," he was not even aware of such acts and practices and, if he had known of any, he would not have become a member; (3) Instead of having been "very effective in that capacity" (of reformer of wrongful acts and practices), he has voted invariably to support and perpetuate the original and continuing control, whose policies without exception he "heartily approves"; and (4) Instead of rendering "a public service," he did, in fact, represent "a private interest" and could not well have won "additional credit and admiration for courage" which he had no occasion to display.

In other respects—*i. e.*, as to Mr. Jones's ancestry—his fidelity to "the rights of the people," his being "a man

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whom I can absolutely guarantee in every respect," " the one man of the whole number who was in a peculiar sense my personal choice," the President's knowledge, having been acquired at first hand, is undoubtedly correct. These claims to consideration were established beyond peradventure by Mr. Jones himself when he supported Mr. Wilson unwaveringly at Princeton and when subsequently he made generous contributions, first in aid of his candidacy for Governor of New Jersey, then in his preliminary canvass for the nomination at Baltimore, again in his campaign for the Presidency, and finally in the purchase of a public journal to the end that his administration should not lack of helpful interpretation and effectively eager support.

The President made no mention of the Zinc Trust in his letter of commendation, but Mr. Jones sketched its history with noteworthy succinctness and admirable frankness. His brother and himself owned the Mineral Point company, which was capitalized at $400,000 and had paid no dividends. They sold it to the Trust and received in payment $900,000 of stock, upon which dividends have been paid regularly for seventeen years on a rising scale, until they reached first 30, then 40, and, last year, 50 per cent., thus yielding to the brothers several millions in excess of the value of their original property.

The company's exceeding prosperity is due, according to Mr. Jones, to its possession of a unique mine which constitutes " a natural monopoly " and gives virtual control of the market. Profiting from this circumstance, the company raised the price of zinc two years ago and increased its dividends accordingly. It would seem, therefore, despite Mr. Jones's insistence that customers have been " treated fairly," that his various contributions to worthy causes must be traced through the agency of a monopoly directly to the users of zinc. Mr. Jones defined his own position clearly.

Senator HITCHCOCK. One of the purposes in creating the new banking and currency system is to decentralize the banking power in the United States.

Mr. JONES. Yes, sir.

Senator HITCHCOCK. Which has been used to create monopolies. And I suppose that thought has been in the minds of some when the question arose as to your connection with two concerns which seem to have for their purpose a creation of great combinations; and the committee was curious to know whether your views were in harmony with the opinion of

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the country, which is strongly opposed to anything tending to centralize or monopolize business.

Mr. JONES. I have not the slightest hesitation in answering any questions along that line that may be asked as to what my views may be as to general policy. I am thoroughly in accord with what I believe to be President Wilson's policy in destroying monopoly.

Senator HITCHCOCK. How would you go to work in destroying the zinc monopoly.

Mr. JONES. I do not believe it is destructive, because I do not believe it is a monopoly in that sense.

Senator CRAWFORD. That is a case where the supply has been limited by nature and is not limited by artificial combination.

Mr. JONES. Exactly.

Inasmuch as the province of the Federal Reserve Board is to execute, not to formulate, the laws, we perceive small point in Senator Hitchcock's line of argument, except perhaps in so far as it evinces a conflict in theory between an avowed beneficiary of a monopoly and the Democratic party. Nevertheless, if Mr. Jones is in accord with "the President's policy," what more in reason could be desired?

The real point against Mr. Jones is the fact that at the moment of his appointment he was individually a defendant in the Government's suit for the dissolution of the Harvester Trust, involving the following allegations:

The Government charges that the defendants have absorbed competing companies, but concealed their ownership, permitting them to be advertised "as wholly independent and without connection with them, the 'trust' or any 'combination,' intending thereby to mislead, deceive, and defraud the public and more effectually cripple existing competitors and keep out new ones." The bill contains these charges: "Defendants have resorted to unfair trade methods; have made inaccurate and misleading statements concerning rival machines or concerning the credit of competitors; have by misrepresentations sought to induce competitors' agents and dealers to abandon them and in divers unfair ways have endeavored to destroy them, and for the purpose of destructive competition have reduced prices of their machines in some localities below cost of production and distribution, while keeping prices up in other localities. Defendants have systematically bought up patents upon harvesting machinery, tools, and implements, and acquired all new inventions therein, in order thereby more effectually to perpetuate the combination and monopoly."

The case has been argued, and a decision may be rendered at any time. If the Government shall lose, Mr. Jones's skirts will be cleared; if it shall win, the Government could, but probably will not, proceed against Mr. Jones under the provision of the Act authorizing criminal prosecution. In any event, even now he is before the court

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charged as a violator of the law and, of course, ought not to be made an officer of the Government which is accusing him while the outcome is pending.

The President's motives need not be questioned, even though the wisdom and propriety of his action be doubted. Mr. Jones has fully demonstrated the ability ascribed to him, and his personal integrity is universally conceded. The country may well rejoice if by chance, when these words reach the reader's eyes, the one cloud shall have been lifted from his title and the way be cleared to profit from his services. But what will Our Colonel say? What, between ourselves, would the then President of Princeton have said if President Roosevelt had appointed Sir George under like circumstances? The analogy is perfect. Mr. Jones and Mr. Perkins are associate directors of the same amalgamation and enthusiastically uphold its practices; they are co-defendants in the Government's suit; they acquired their possessions in substantially the same way; they proclaim their fairness to consumers while taking advantage of monopoly to fix prices of products; both are patriotic citizens and purifiers of politics; each is vouched for unqualifiedly by the grateful beneficiary of his largess. It is not a question such as Thad Stevens raised, as to "which is our damned rascal"; it is rather and more ideally, Which is *my* good angel? Even the most uncompromising moralist of his age did not fail to mark the distinction between a halo of silver and a cross of gold.

Not consistency, but the ox is the jewel of politics. And the questions which determine his color are but two! Whose is it? And can he draw?

But business is business. Having finally traced the source of the Administration's optimistic view of existing conditions to Mr. Jones's highly favorable reports from the zinc trade, let us resume. It is the Democratic Senate now which is to be congratulated upon having found a zealous defender.

"It would be particularly unfair to the Democratic party and the Senate itself," writes the President, "to regard it as the enemy of business, big or little. I am sure that it does not regard a man as an object of suspicion merely because he has been connected with great business enterprises. It knows that the business of the country has been chiefly promoted in recent years by enterprises organized

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on a great scale, and that the vast majority of the men connected with what we have come to call big business are honest, incorruptible, and patriotic. The country may be certain that it is clear to members of the Senate, as it is clear to all thoughtful men, that those who have tried to make big business what it ought to be are the men to be encouraged and honored whenever they respond without reserve to the call of public service."

"It is," he continues, "the obvious business of statesmanship at this turning-point in our development to recognize ability and character, wherever it has been displayed, and unite every force for the upbuilding of legitimate business *along the new lines which are now clearly indicated* for the future."

A truism, no doubt, but well spoken at the needful turning-point in party policy so aptly indicated! Having thanked God and taken courage, let us consider briefly the present status of the legislation which is to remove the shackles from the emaciated legs of tottering commerce.

Mr. Henry Watterson, in the course of an impassioned appeal to the Senate to "pass the Bills and go home," pronounces discussion useless because of the common understanding and approval of the measures themselves. If the distinguished journalist's premise were correct, we should not deny his conclusion. But the fact, we fear, is that the public has very slight comprehension of the scope, meaning, or probable effect of this proposed drastic legislation. With due respect we question whether even our otherwise enlightened contemporary could present an intelligent syllabus of any one of the three pending measures. We doubt if the President himself possesses the complete understanding which Mr. Watterson supposes to be universal.

The bills were drawn hurriedly and passed by the House of Representatives under whip and spur, with full expectation that they would be reconstructed by the Senate. For that, if for no other, reason the average citizen has awaited their appearance in final form before passing judgment or even essaying examination. Already innumerable changes have been made by the Senate committees, or rather by the Democratic members thereof, since Republicans have not as yet been brought into consultation. It is a fact well known, moreover, that scores of amendments have been prepared and that discussion will surely be prolonged. Despite the

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physical discomfort and mental laxity which now pervade the Upper Chamber, it is inconceivable that Senators like Mr. Borah and Mr. Cummins, who rank as experts upon economic legislation as compared with the framers of the bills, and who are not accustomed to shirk their duties, will yield readily to solicitation for hasty action. Meanwhile, the difficulty of maintaining a quorum will increase and, human nature being such as it is, the mere acerbities which invariably spring from such conditions will make no small contribution to delay.

Mr. Watterson's cry of "full speed ahead," as the outgiving of a chivalric Democratic spirit eager to avert possible repudiation of his President at the polls, is undoubtedly warranted from a partisan viewpoint. One would hesitate to estimate the number of votes that each day of continued session adds to those already lost to the Democratic party. But as a matter of sober statesmanship concerned only with the welfare of the country, not even Mr. Watterson could deny that the position of those who demand full consideration of measures of so great importance is unassailable. In any case, it is unescapable.

What to do we would hardly venture to suggest. If the President were not irrevocably self-committed to prompt achievement—to the passage of *some* bills, whatever they may contain—there would still remain opportunity to heed the wise injunction written by Benjamin Franklin into the first Constitution of the State of Pennsylvania, to the effect that "all bills of a public nature should be printed for the consideration of the people before final reading, and except on occasions of sudden necessity should not be passed into laws until the next session of the Assembly."

This is the procedure which Mr. Underwood advocated as leader of the Democratic House, and which Mr. Vanderlip declared—in a public address, not in the White House—would be wholly satisfactory to the business world. We have no doubt, moreover, that Mr. Morgan would have concurred in this judgment if his conversation had not been restricted to happy reminiscences of gay old times. Finally, the wisdom of the policy indicated is not only apparent from the utter lack of public demand for further legislation at this time, but is clearly established by the referendum taken by the United States Chamber of Commerce wherein 559 commercial organizations in thirty-six States rejected

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nine out of ten proposals in the Clayton Bill by majorities ranging from six to one to twenty to one.

But it is idle to discuss impossibilities. The President has marked the path, and his reluctant party must needs follow it, regardless of the time required or the consequences entailed. His official position was defined with characteristic lucidity in his talk to the business men from Illinois. He regards the proposed legislation as "necessary to satisfy the conscience of the country"; he fears that it may be directed by "more radical forces" if postponed; he considers even imperfect settlement less harmful than uncertainty.

His personal attitude has been set forth in private conferences with his few political associates. Briefly, it is this: If we defer action, powerful influences will unite to defeat us in the November elections; if we enact moderate measures and convince all concerned that we shall do no more, their fears will be allayed and the Republicans will be unable to align those possibly controlling influences against us.

It is good logic but poor politics. It fails to take into account the fact that approximate certainty regarding the prerogatives of business now exists in the form of court decisions, and that uncertainty will only begin with tedious interpretations of crudely drawn laws. It is defective, moreover, in disregarding the distrust engendered in the minds of influential persons by the President himself when, after having been reckoned at least prudent and cautious, if not, indeed, inherently conservative, immediately upon his election he appalled the business world with radical utterances and the direst threatenings.

The President's change of mind has been welcomed by the country, but efforts to placate "powerful influences" we fear will avail little. Not a few, we suspect, of those who dread the effect of further "constructive legislation" will feel a keener sense of security in a Republican Congress than in a Democratic pledge insinuatingly authorized upon the eve of an election.

Meanwhile, Senators, march! Though you know not whither you go, On your way!

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HOW LIVES ARE LOST AT SEA

After the *Titanic*, the *Empress of Ireland;* each the greatest disaster of its kind that ever occurred; and by interesting coincidence the official investigation into the latter was held at the very time when some of the governments were considering for ratification the recent international convention for the safety of life at sea which was made under the influence and stress of the former. It was shrewdly remarked by a speaker in the British House of Commons that the Merchant Shipping Bill, which was to give effect to the convention, was based upon the lessons of the *Titanic* rather than of the *Empress of Ireland,* and the truth of this is apparent from a review of the convention and of the roll of shipping disasters.

The legislation in question embraces chiefly rules for the removal or destruction of derelicts, for the avoidance of ice, for the increased efficiency and sufficiency of crews, for the adequate supply of boats, rafts, and other appliances, and for the prevention and extinguishment of fires. There can be no question that all these reforms are essential. Yet they aim, after all, at the abatement or the prevention of evils which have caused comparatively few disasters, and they scarcely touch the chief causes of loss of ships and lives at sea. The *Titanic* disaster was due to ice, and it was appalling. Yet it was almost solitary. The number of serious disasters from ice may be counted upon the fingers of one hand. Fire at sea is the most terrible of calamities, and yet serious disasters from fire have been far less numerous than those from other causes.

It was stated in Parliament that in the last twenty years 4,700 British ships, of 3,000,000 tons, had been lost, with 18,474 human lives. That is a record which may well "stagger humanity." But it is probable that scarcely a tithe of them were due to derelicts, ice, and fire put together, while the losses from lack of numbers and efficiency of crews and boats are comparatively small. A carefully compiled catalogue of the major shipping disasters of the world since the middle of the last century comprises 104 disasters, in which 27,249 lives were lost. There is not on the whole list a single assured case of loss through striking a derelict, though of the three "unknown" one or two may be attributable to that cause. The total of lives lost in those three "un-

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known " is 710. There are on the list only three vessels lost through striking ice. One of them was the *Titanic,* and if her 1,595 lives lost be subtracted from the total of 1,937, that cause becomes almost negligible. Losses from fire include eleven ships, with 3,688 lives. If we subtract therefrom the 1,000 lives lost on the *General Slocum,* the remaining ten are but a small fraction of the whole. It is also to be observed that one ship struck a mine and lost 120 lives; four capsized in comparatively calm water with a loss of 473; and six perished from explosions, including one warship in time of peace, with 1,237 lives.

There are left, then, the three great causes of loss. These are as follows:

Wrecks, usually in storms, on shore or on rocks, 29 vessels and 6,650 lives. That is more than 27 per cent. of the disasters and more than 24 per cent. of the lives lost.

Collisions, 24 disasters and 6,615 lives lost. That is more than 23 per cent. of the disasters, and more than 23 per cent. of the lives lost. But as each disaster involved at least two ships, the number of vessels suffering from this cause was at least 48.

Founderings at sea, chiefly in storms, but without striking shore or rocks, 23 vessels and 5,817 lives lost. That is a little more than 22 per cent. of the disasters and more than 21 per cent. of the lives lost.

These three major causes were responsible, then, for 76 of the 104 disasters, or 73 per cent., and for 19,082 of the 27,249 lives lost, or 70 per cent. Surely they should have precedence over all others in the attention which is given to ways and means for preventing them or for minimizing their results.

Moreover, of these three it is quite obvious that the second named—collisions—is by far the most chargeable to human negligence, inefficiency, or what not, and is the most readily preventable by human devices or vigilance. Indeed, it is the only one of the three for which the human factor is chiefly and as a rule solely responsible, and it is the only one which it is within human power completely to prevent. Wrecks and founderings are chiefly due to storms, and storms are quite beyond the power of man to prevent or to control. All that we can do is to make our ships as stanch as possible, so that they will outride the storms; to correct and carefully study our charts, so as to avoid rocks and

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dangerous shores; and of course to provide life-saving appliances for use in case these other precautions fail. With all these things done as well as it is possible for men to do them, the uncontrollable factor of nature will still be so strong as to cause frequent danger.

On the other hand, no collision is ever justly attributable to an " act of God " or to natural circumstances beyond our control. It is always due to some failure of the human factor. There is lack of vigilance, or lack of judgment, or lack of appliances for observation, for warning, or for control. Many collisions occur in darkness, but that circumstance does not excuse them, but merely indicates negligence in lighting or in observing lights. Others occur in fog, but neither is that fact an excuse for them. It means, in the great majority of cases, that proper vigilance was not exercised, that a reckless rate of speed was maintained while traversing the fog-banks, or that effective devices for indicating and perceiving the approach of ships were not employed. In justice to human inventive ingenuity, we cannot for a moment concede the impossibility of equipping ships with apparatus which will give one sufficient warning of the approach of another, even in the deepest darkness or the densest fog. Of course any such devices might be useless if ships went flaring through blinding fogs at express speed; but such navigation would itself bespeak a still greater culpability of the human factor.

The logic of the situation appears to be, then, that in seeking to promote greater safety for human life at sea we should have chief regard for the prevention of wrecks, founderings, and collisions, and for the minimizing of their results when they do occur; and that chiefest of all we should strive for the complete avoidance of collisions as the one important class of disasters of which complete avoidance is possible. Three methods seem most obvious. The first, beyond question, is watchfulness, to avoid even danger of too close approach. This involves careful observance of routes, rights of way, a sharp lookout, prompt and persistent use of signals and scrupulous observance of them, and the employment of such automatic warning devices as inventive ingenuity may produce. The second, if the first fails and two vessels do threaten each other with impact, is some form of what on an automobile would be termed emergency brakes. Several devices have been proposed and

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elaborated for quickly stopping a vessel, and it seems reasonable to suppose that some of them could be made practical. If a vessel could have been stopped within its own length, a considerable proportion of the disasters from collision could have been averted, and probably several thousand lives could have been saved.

The third course to be pursued in case the first and second fail and a collision actually occurs, is to make the results as little disastrous as possible, by so constructing a ship that it will float, at least for a considerable time, after being torn open by another. We have heard much about water-proof bulkheads and watertight compartments, and have been told that certain ships would continue to float safely if actually cut into two pieces. Yet the deplorable fact is that many vessels reputed to be thus constructed have sunk too quickly to permit the launching of boats or even for passengers to get from their berths. We cannot believe that the bulkhead and compartment theory is false and delusive. But it is obvious that the most sound and practical theory may be quite worthless unless it is properly applied.

What is clear is that of all the causes of maritime disasters, the collision of ship with ship is most to be dreaded and most to be guarded against. To paraphrase the epigram of Louis Blanc which is attributed to Gambetta, the collision, that is the enemy. To it or against it shipbuilders, commanders, and navigators, and maritime authorities, will do well to direct their best attention.

FROM JOURNALISM TO POLITICS

We can refer to him no more as Brother Roosevelt; he has forsaken the pacific *Outlook* and returned to the political jungle; henceforth so long as we all shall live he shall be Our Colonel.

The impelling causes of the divorcement are set forth in a letter addressed to Grandbrother Lyman Abbott, exuding poignant regret and fraternal sentiment. Whatever one may think or say of Our Colonel, none can justly pronounce him unappreciative except, perhaps, in a single instance, of favors ungrudgingly bestowed by a political party. He does " not need to tell " Our Grandbrother " how very deeply " he has valued his editorial connection; he has found the association

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both " a help " and " an inspiration." Nothing, in fact, could give him keener pleasure than to " keep on in the future exactly as in the past " if he " had been able to be," as he had expected to be, " a man entirely removed from all participation in active politics." Unmindful at the outset of the lesson conveyed by the Scriptural inhibition upon Ethiopians and leopards, he did not awake to full realization of a temperamental condition apparent to others, even while diverted temporarily into quite active candidacy for a third term.

But now the hour has struck and from this day forward Our Colonel will strive with undivided though somewhat diminished might and main for " the triumph of those principles embodied in the Progressive platform of 1912." Of his expressed determination to do all in his power to " eliminate men like Mr. Penrose, Mr. Murphy, and Mr. Barnes from control of our political life " we make no complaint; they must shift for themselves; but when he declares himself " in honor bound to stand in strong opposition to the Administration " we confess a sense of grievous disappointment. We hoped for an ally and find an antagonist. We pleaded for bread and receive a stone.

And why? Because, we are told, " as regards our international relations the policy of the present Administration has meant the abandonment of the interest and honor of America." While admitting, as we fear we must, that our official antics respecting Mexico have reflected blundering opportunism rather than statesmanlike definiteness, and that *Civis sum Americanus* has lost much of its traditional resemblance to *Civis sum Romanus,* we perceive therein no sacrifice of national honor. American interest no doubt was surrendered in repealing the canal-tolls exemption, but the action was taken bravely and generously to maintain, not to impair, national integrity. The reference then, we suspect, must be to the proposed settlement with Colombia. As to that, in so far as the proffering of an apology is considered, Mr. Roosevelt as a former President has just cause for grievance, but he is without standing as to the payment of indemnity, since he himself was willing to make reparation in smaller amount. Clearly, so vigorous and sweeping a term as " abandonment of honor " requires explication.

What Our Colonel means by " abandonment of every sane effort to secure the abatement of social and industrial evils "

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we can only conjecture. Surely the purpose of the President in demanding from a jaded Congress what he believes to be remedial legislation is such as indicated. The effort itself may not be wholly "sane" or prudent from a political viewpoint, but its making with stern resolution is distressingly apparent. "Abandonment" signifies relinquishment of work undertaken. Can our Colonel specify a single "sane effort" as yet quitted by the present Administration? We fear not. Indeed, we might, though of course we shall not, voice a wish that he could.

Of the "grave industrial depression" now prevailing there is, unhappily, no question. But that is a mere business condition which seems likely soon to be relieved, as we have hinted elsewhere, by the harvesting of exceptional crops or by the election of a Republican Congress. The Lord obviously is on the Democratic side, but there seems to be some doubt about the President. In any case, the One or the other or the combination should triumph, and there is no occasion, in such a contingency, for interference by one whose sole claim of right to speak with authority rests even upon his undoubted discovery of the Ten Commandments.

That our faithful Grandbrother should evince "undiminished affection" for his departing associate was to be expected; that also for various reasons he should recognize "the necessity" for his action we can readily understand; but when he pronounces the Progressive party "the organic representative in America of a great human movement" we tremble, in the light of recent political indications, for the future of our beloved country. But even though Armageddon be on the wane, there is hope still from Gideon's Band if it be indeed a fact, as asserted, that Our Colonel's "endeavor to bring the Republican party into line with this movement" actually "succeeded"—a truly significant utterance indicating possibilities of amalgamation of ranks and files in support of "America's greatest interpreter."

But alas! "The demands of the political campaign and of the editorial office are inconsistent," "history has abundantly demonstrated the truth that no man can be both the leader of a great political party and an editor of an independent journal." Indeed yes; and so, if we may speak frankly, has the experience of the *Outlook*. Time was when our then esteemed contemporary held a unique position in American journalism. Its appeal was to the great body of

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fair-thinking and conscientious men and women, and its chief asset was their faith in its political integrity and the moderation, no less than the correctness, of its judgments. When the proprietors acquired a virile and ambitious politician in the guise of a Contributing Editor they gloried in their achievement and advertisement, but when the inevitable test came at the parting of the ways and the stronger personality dominated, they found that a mess of pottage was small compensation for the loss of a birthright. The alliance was formed upon a theory false in journalism and was fated from the beginning. Mr. Roosevelt has not profited from the use of a personal organ, and the *Outlook* has suffered irreparably. That the editors will now strive earnestly to regain their former position we have no more doubt than we have lack of faith that they will succeed. Our Colonel hitherto has been either an obsession or anathema to the majority of minds. It was in the former capacity that he pervaded the reason and even the morals of his impressionable associates, and the journal cannot fail to bear the impress of his individuality for years to come.

What could be more unlike the outgivings of the *Outlook* of old than this from the issue of June 20th?

> Business is disorganized because it is the avowed purpose of the Democratic Administration to disorganize business.

Can one imagine a reader so unintelligent as to be deceived by a falsehood so bald as this? The President has defined his purpose explicitly over and over again. It is, as everybody knows, no more nor less than to reform methods of doing business to the end that business itself may be re-established upon a safe and enduring competitive basis. Of the efficacy of his legislative proposals there may be, and we think there is, grave question, but there does not and cannot lie in any human mind the faintest doubt of his intent. And yet the readers of the *Outlook* are told that his "avowed purpose" is to "disorganize business." If asked when the President made such an avowal, what could our Grandbrother say?

And again:

> This Democratic Administration does not believe in a strong government. It is afraid of a strong government. It fears that the strong government will be a despotic government. It seeks refuge from that peril in weakness.

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Did ever a more ludicrous misstatement appear upon a printed page? The effrontery of saying, at the very moment when the President is being denounced in Congress for usurping the powers of a co-ordinate branch of the Government, when he is holding the legislative body in gloomy session solely to impose his will upon it, when generally as an autocrat he is making every predecessor from Washington to Taft appear as a menial, that "this Democratic Administration does not believe in," "is afraid of" a "strong" government because, forsooth, it "fears" that it will be "despotic"! Could a grosser injustice be perpetrated?

But we would not scold our venerable Grandbrother for falling into the wilful misrepresentations which once did spring from the hustings. It is not he who speaks; it is his obsession; his third cup of coffee. And we rejoice in the dimly prospective, though somewhat dubious, emancipation of a public journal.

May the *Outlook* live long enough to deserve to prosper!

DIPLOMATIC NOTES

"WHY," inquired the teacher, "is our diplomatic service like a Sunday newspaper?"

"Because it has a funny Page," gaily replied little Rollo, clapping his hands.

"And why does it remind one of Eugene Field?" was the next conundrum.

"Because it is composed of sharps and flats," said the Widow Green, with a loud laugh.

She was referring, of course, to our new Ambassador to France, His Excellency William Graves Sharp, the Balm of Gilead, Ohio, until recently engaged in the manufacture of pig iron, and self-described in *Who's Who* as "Democrat, Mason, Oddfellow, Woodman, etc." According to Washington reports, the President had in mind to send Mr. Sharp to St. Petersburg, but tactfully refrained from doing so when informed that the Czar regarded him with disapproval, even as a substitute for Brother Pindell, who, by the way, is doing very well in Peoria. Consequently His Excellency was accredited to France and somebody, whose name we cannot recall, was designated for Russia. Neither

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of the ambassadors, we are informed, speaks French, but both understand English fluently, and one of them, we forget which, went abroad with his parents when quite young. Favorable reports of their doings may be anticipated without undue compunction. Meanwhile His Former Excellency, Mr. George Fred Williams, reports progress in his laudable endeavors to establish popular government in Albania—not, however, as the official representative of the United States, the President having forwarded his resignation during the temporary absence from Washington of the Secretary of State. His successor may be the Hon. John Lind if Congress shall finally fail to make the adequate appropriation for the Secret Service fund sought by the Secretary of State.

We regret to report a slight misunderstanding with the Republic of Switzerland, arising from the misplacing of a map in the State Department. It seems that the ever-courteous Secretary of the Navy, who naturally took for granted that Switzerland was a maritime power, formally requested the Secretary of State, who seems to have been under a like impression, to extend an invitation to the rugged little republic to send a warship to accompany him through the Panama Canal during the forthcoming festivities, and the Secretary of State forwarded the request to our Minister Plenipotentiary, Mr. Pleasant A. Stovall. Although His Excellency was of course aware that Switzerland is not well provided with dreadnoughts, he apparently saw no reason why an active and progressive nation could not either build one or buy one from the United States in time to participate in the ceremonies, and he politely conveyed the courteous invitation in strict conformity with his sense of duty. Unhappily, for quite obvious reasons, the Government of Switzerland felt constrained to decline the privilege thus graciously accorded, but expressed suitable thanks and the incident is now reported to be diplomatically closed.

In the absence of the Secretary, the State Department will ignore for the nonce the spirited act of Mr. Franklin Mott Gunther, First Secretary of the Legation to Norway, reported by the President's favorite newspaper, the London *Times*. Although in itself a trifling occurrence, attention is drawn to the fact that the Secretary's conduct, while

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perhaps not in strict consonance with diplomatic usage, will tend, nevertheless, to revive respect for the American flag. It seems that, while he was a guest on the American steam-yacht *Pauline,* the harbor-master requested that the yacht's anchorage be shifted to make way for the Emperor William's *Meteor*, and that Mr. Gunther, having assumed charge of the negotiations on behalf of Mr. McCullogh, the owner, responded politely but firmly by knocking off the official's cap and ordering him ashore. Whereupon the harbor-master incontinently complained to the Minister of Foreign Affairs and suggested that an apology be demanded. Department officials in Washington find in the archives no precedent for the meeting of such a contingency, and will await the dictates of the Secretary's intuition respecting proprieties unless, pending his arrival, the President himself shall see fit to chide his fellow-Jerseyman for reverting to boyish practices while at sea in the service of his country.

His Excellency Charles J. Vopicka, our Minister Plenipotentiary and Envoy Quite Extraordinary to Rumania, Servia, and thereabouts, has filed complaint of the telephone service in the countries to which he is accredited. The circumstance which induced the fault-finding was peculiarly distressing. The Minister had accepted an invitation to dine at the palace and was making suitable preparation, when suddenly and without warning his collar-button leaped with characteristic nimbleness from its normal abode and zigzagged most aggravatingly into a crack in the floor under the bureau. Neither coaxing nor objurgation availing in the Minister's attempt at recovery, he called up the Queen for the purpose of informing her that he would be unable to be among those present. Although an adept in Rumanian speech, he could not convince the operator that his predicament justified calling the Queen to the 'phone, and international complications are feared unless Minister Stovall can induce the Swiss navy to intervene.

Our distinguished Minister to San Domingo, Mr. James M. Sullivan, reports dissatisfaction with the climate and has returned to New York presumably to resume the more lucrative practice of defending gunmen.

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THE STATE AND THE CITIZEN

BY DAVID JAYNE HILL

It will not be contested, when the subject is carefully considered, that between the years 1776 and 1789 something happened in the thirteen American Colonies that had never before occurred in the history of the world. What happened in those thirteen fateful years was the most unique and the most notable political event yet recorded in the history of mankind—the placing, for the first time, of *all* the powers of government under the dominion and protection of law.

Let there be no mistake regarding the meaning of this assertion. Other communities of men, centuries before, had attempted to solve the problem of self-government; other nations had declared and vindicated their independence; others had established and maintained for a time their liberties; others had limited the power of kings; others had created representative parliaments; but none had ever rendered every kind and form of political power, every branch and organ of government, even the arbitrary will of the sovereign people itself, subject to fixed principles of justice affirmed as law, by which all were bound, or had bound themselves, to be held responsible.

How did this ever come to pass? It was because the American colonists had suffered from a rule of absolutism which they intended to abolish. The absolutism from which they had suffered was not merely the absolutism of a king, George III., but the absolutism of the British Parliament. They believed themselves to possess rights, inherent and defensible rights, which they intended that *no* power, not even one of their own creation, should ever be able to take away.

The American colonists were not, indeed, the first to place restrictions upon the powers of the State. For a long period the maxim had endured unchallenged, "The will of

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the prince is the source of law." This had been repudiated by the English Revolution of 1689, and the doctrine had been established in England that Parliament is the source of law. Rousseau had advanced upon this by saying, "The will of the people is the source of law." But the American colonists, who believed in a law above human will, who believed in rights which it should not be in the power of any human will to abolish, freely resolved to set limits even to their own will, so far as public legislation is concerned.

As by a common impulse they came to the conclusion that arbitrary power should no longer exist among them. They would not tolerate it, and they would not aspire to it themselves. It was that from which they had suffered, and it was that which they proposed to end for ever.

But how could arbitrary power be eliminated from government, and its return in some form be for ever prevented? Obviously, only by mutually guaranteeing to themselves exemption from any form of unlimited authority; and for this there were only two kinds of guarantee:

(1) *A frame of government* in which power should be so divided and distributed that it could not assert itself in any purely arbitrary form; and

(2) *A fundamental law* placing certain "inalienable rights" beyond the reach of any person or group of influences within the State to destroy or nullify.

It was the combination of these two forms of guarantee which constituted the unique and original character of our political institutions; first in the State constitutions, where these principles were first applied, and then in our Federal Constitution, in which they united with the federative idea the fundamental conception of a division of powers and a reservations of rights.

This is the American system, and it has furnished securities for our liberties for more than a hundred and twenty-five years. During this century and a quarter it has been imitated with more or less fidelity by many other countries, but nowhere with quite equal success.

If we ask why it is that our system has not always been successful in other countries, the true answer is that it has never been entirely adopted.

France, whose first inspiration for a written constitution came from the United States, has in the mean time had eleven different constitutions. In no one of them has there

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been a constitutional limitation upon legislation, enforceable by judicial decision; and no one of them, except the last, has endured for more than twenty years. Our sister republics to the south in Latin America have all had written constitutions, with a frame of government similar to ours; but, for the same reason, they have been the scene of almost constant turmoil and strife, and frequently rent with more or less bloody revolutions. We ourselves have not been exempt from at least one terrific civil war, which threatened to rend the nation in twain. It is interesting to note that the occasion for it was a question as to whether or not the Constitution was a binding or a negligible law.

What, then, is the reason why the experience of France and of the other Latin republics has been less fortunate than our own?

There are, I think, two answers to this question.

The first is that, with the exception of the contest over the right of State Nullification and Secession, we have not only respected the provisions of the Constitution as worthy of our confidence, but we have looked upon judicial interpretation of it as the palladium of our liberties.

The second answer is that we have as a people placed more emphasis upon principles than upon personalities. We believe that ours is a government of laws, and not of men. In the republics that have imitated our example this has frequently not been the case. They have preferred to follow leaders, often without knowing whither they would be led, rather than to hold fast to fixed principles and test the qualities of their leaders by their loyalty to doctrines and policies previously thought out and deliberately decided upon. With us it has been different. In the days of the American Revolution men did not believe in independence because they believed in Washington, but they believed in Washington because he was struggling for independence; nor in the days of our Civil War did they believe in Union because they believed in Lincoln, but they believed in Lincoln because he was trying to save the Union. There is something in the American character that places more confidence in settled principles than in the trumpet-call of theorists, partisans, and partitioners of patronage.

It is this quality of resistance to rapine and riot that has thus far proved the chief safeguard of the State and of the public security it is intended to afford. It may well be con-

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sidered as our best ground of assurance of the perpetuity and efficiency of the Republic. It implies, however, a certain virtue in the people. Should that quality ever prove wanting, our system would lose its main support and eventually disappear.

We see, therefore, how extremely dangerous it would be to break down either that fundamental law upon which our whole structure of guaranteed liberty is erected, or the spirit of fairness in the minds of the people, without which it would soon be nullified. If, for example, there should arise among us a bitter class or sectional feeling—an unrighteous oppression of the poor and unfortunate, or a strong animosity against the rich and successful—this would undoubtedly, if played upon by ambitious demagogues, create a peril for our institutions which might result in undermining and ultimately destroying them.

This is not to speak as an alarmist, or in a tone of reproach toward any party or any class, but in a spirit of strict impartiality regarding all the elements that make up society. It is simply a question of fair play and charitable feeling. It is perfectly clear that there is more than one danger to good government; and it is equally certain that expectant beneficiaries will continue in the future, as in the past, to serve their own interests by exciting the appetites of susceptible supporters wherever they can be discovered or created. The important point is that these influences should not be permitted to prevail.

If we were to consider seriously the question, who would profit most by breaking down the guarantees of liberty and equal law—or, in short, who would come out best in a battle of class interests, without the restraint of a fundamental law, it would not be difficult to decide. If absolute power were lodged anywhere, it would, no doubt, be wealth that would in the end control it; and the poor man would be the ultimate victim of a demagogue's designs. It was the pressure of the average citizen, the man who did not mean that his liberties, however humble his station, should be taken away from him, that procured the insertion of the Bill of Rights in the Constitution. If he stops long enough to reason about it, this average man—especially the man who possesses but little and holds that little dear—will not consent without a struggle to allow that protection to be taken from him.

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Recently we have heard it stated that any judge who would hold any law unconstitutional that a legislative body saw fit to make should be dismissed from the bench. In other words, men have recently denied the authority of any fundamental law whatever, and have demanded that every judge, having sworn to obey and defend the Constitution, should proceed to treat it as a nugatory document.

Now this is a question worthy of the most serious consideration by every patriotic citizen, for it strikes directly at the most vital part of the American system of government. Confessedly, the system divides and distributes power between three co-ordinate branches of authority, the legislative, the executive, and the judiciary. The intention of it is to place all these forms of power under the restraint of law—namely, under the Constitution. If the judiciary possesses no power to prevent unconstitutional legislation, what restraint is there upon the legislative body, except its own will? It would, therefore, be placed *above* the law and become the *only source of law.*

There are in this connection two points which should receive our serious attention, and yet I have never seen them anywhere clearly stated.

The first is that where the constitutional system has adhered most strictly to the American model, it has been most successful. This system provides for a complete co-ordination of the legislative, executive, and judicial functions. Where any one of them has been either suppressed or exaggerated—that is, where the regulative mechanism of the system has been ignored, there a breakdown has at some time occurred.

The second point is that a purely parliamentary government is not only unstable and fluctuating, but subject to crises which threaten the extinction of the entire government, and sometimes end in open violence and revolution.

The history of France is a startling commentary on this assertion. From the first constitution to the last, in that country, there has never been any middle course between personal absolutism on the one hand and uncontrolled parliamentarianism on the other. The result has been a periodic oscillation between monarchy and democracy, until long experience has at last taught the lesson of self-restraint which true self-government imposes. Yet, even now, although the lesson has been sufficiently learned

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to prevent recurrent revolts from going further than a ministerial crisis, the people have become so accustomed to these that they hardly attract their attention, and the Republic is frequently without a government.

When we look for the cause of such perturbations, we find it in the exaggeration of executive action on the one side, or of legislative action on the other, with an almost complete neglect of the judicial function as a restraint upon executive or legislative excesses.

The judicial function is essentially the balance-wheel of our system, and it is nothing more. The judiciary can originate nothing. It can only issue a judgment that something *should* be done, or should *not* be done, under the existing state of law. The effect of its decisions, in so far as they concern the general interests of the community, is never irreparable. They may be altered by appeal to a higher court; or, if necessary, the law, and even the fundamental law, may be changed. If, however, it could be changed upon the instant, or by a wave of popular excitement, or by the majority vote of a temporary parliamentary body, left free to enact any statute that might for the moment seem to commend itself, there could be no means of foreseeing of what rights a citizen might soon be deprived, or what new and onerous exactions might be suddenly imposed upon him. With all calculability removed from the sphere of practical action, industrial enterprise would be smitten with paralysis. Thus all classes, even if violence did not occur, would be the sufferers; and it would be those who are most dependent upon others who would suffer most.

It is sometimes alleged that a distinction is made between the rich and the poor; that rich men can obtain favorable decisions in the courts, while the poor cannot.

To say that no judge has ever made a mistake, or ruled unjustly, or been actuated by prejudice or self-interest, would certainly be a bold assertion; but, in general, the American judiciary has never merited that reproach. Physically, mentally, and morally, judges are only human beings; yet they are intended to be, and usually are, men of superior intelligence, character, and education. If they are not, it is the people who are responsible.

It is possible to admit freely all that has ever been proved, or even all that has ever been said or insinuated, in con-

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demnation of our courts, without in the least affecting the high importance of the fundamental law, or the necessity for judicial restraint upon the other organs of government. The true reply to this criticism is not a defense of the courts, which may need correction, but the consideration of what would happen if legislative freedom were not limited by constitutional principles. Have legislative bodies shown themselves so just, so wise, so unaffected by class or party influences that they are to be intrusted with absolute and unrestrained authority?

And if parliamentary government is not to be trusted without restraint, what is to be said of the direct action of majorities, without debate, without deliberation, without a knowledge of existing law, or a due appreciation of the effect of purely improvised legislation?

We shall, therefore, make no true progress toward realizing the ideal State by a radical change in our form of government, and least of all by the abolition of our fundamental law. Without that law the separation of powers would be of no avail. The French constitutions, equally with our own, were based on the doctrine of divided power, but without judicial authority over public action. As President Lowell has said, " The French statesmen took Montesquieu's doctrine in the sense that the administrator ought to be free to act for the public weal without let or hindrance from the courts of law " ; in short, that the courts have no power of restraint in matters of public law or action.

It is precisely in that respect that our system differs from all the imitations of it, and precisely by that difference that our success in maintaining our system for a century and a quarter, essentially unaltered, has been made possible. Would it not be an act of sacrilege to destroy that system now?

Such being the theory of the State as our forefathers conceived it, what is the normal relation of the Citizen to the State?

The growth of the nation in geographic extent, in population, and in the multiplicity of its relations, internal and foreign, as a dual and federated system, has certainly not rendered that relation more simple, but infinitely more complex. Yet, in an age when special and expert knowledge is more than ever necessary, and when it is demanded in every phase of our economic life, and possessed and employed by

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all our chief competitors in the realm of international trade and the industries that make commerce possible, there is now, for the first time in the history of our country, a loud clamor for direct popular action upon every great question; as if omniscience were in some mysterious manner inherent in the preponderance of mere numbers.

It is, indeed, important that all the sense of justice and all the intelligence which our population of nearly a hundred millions possesses should be brought to bear upon the public policies of the nation. But how is this to be done? Is it to be done by an appeal to the unguided *will* of the people, without precise knowledge of the matters involved, but intensified by class and sectional prejudices? Or is it to be done by an appeal to the *reason* of the people, after competent masters of the subjects to be considered have made their reports upon them, and these have been subjected to comparison, debate, and deliberate examination by those who have formed definite opinions regarding them?

There would seem to be but one reasonable answer to this question. The plain duty of every citizen is, first, to instruct himself; then to try to fix in his mind the principles by which the common good may be most clearly promoted; and, finally, in a spirit of patriotism to place his influence at the service of those principles.

There are, no doubt, many new directions in which public policies are yet to be formed, and there are many questions which are ripe for discussion. There are forms of social justice which seem to force themselves upon our attention, and we cannot without delinquency neglect them; but the question may be fairly asked, Is there anything which, as a people, it would be right for us to do that cannot be done without a reconstruction of the State, and especially without radical changes in our fundamental law?

Believing that the vast majority of the American people wish to do right, and have always wished to do right, the answer to this question seems very simple. Until it is shown that there is some definite thing which we ought to do, but which we are prevented by our form of government from doing, we shall act wisely in adhering strictly to a system which has enabled us to make progress—singularly rapid and permanent progress—toward the highest ideals that our people have ever at any time entertained.

What we have achieved in the past has been accomplished

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by acting together. A score of transient enthusiasms have at times swept over the country; and there have been moments when precipitate action, even by a majority, might have been possible and certainly would have been wrong. It is needless to wound the feelings of good men by citing instances which would only remind them how erroneous their judgments have sometimes been, or to terrify them by recalling how near to the brink of ruin the country has more than once been brought by proposals that seemed seductive at the time, but are now seen to have been illusory and sophistical.

In a letter addressed to Thomas Jefferson by James Madison it was pointed out that, "wherever the real power of government lies, there is danger of oppression. "In our government," he continues, "the real power lies in the majority of the community, and the invasion of private rights is chiefly to be apprehended not from acts of the government contrary to the sense of the constituents, but from acts in which the government is a mere instrument of the major number of constituents. . . . Where there is an interest and a power to do wrong, wrong will generally be done, and not the less readily by a powerful and interested party than by a powerful and interested prince."

There are some things which majorities ought not to do, or be permitted to do; but which they are likely to do, if they have not the nobility to renounce their own absolute power. This our fathers saw, and they freely surrendered this power, pledging and binding themselves not to violate certain "inalienable rights" which they claimed for themselves and voluntarily accorded to others.

This is essentially the spirit of our Constitution. This it is that has made us a great and prosperous nation. Our fundamental law is hostile to no one. It is every man's friend, and no man can tell when he will need its friendship. So long as our citizens manifest the same spirit, we shall remain the same free people; with the guarantee, for ourselves and for our descendants, that neither wealth, nor numbers, nor any other form of personal or organized power shall be able to oppress by any form of arbitrary authority even the humblest of our fellow-citizens.

David Jayne Hill.

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THE FUTURE OF AUSTRIA-HUNGARY

BY SYDNEY BROOKS

THE murder, on June 28th, of the Austro-Hungarian Heir-Presumptive, the Archduke Francis Ferdinand, and of his wife, the Duchess of Hohenberg, added one more, and a peculiarly brutal one, to the tragedies that for the past hundred and fifty years have incessantly assailed the House of Hapsburg. It cut short, too, political possibilities on which many hopes, all the more passionate for their vagueness, had been founded, a career that had shown not a few signs of vigorous capacity, and a semi-social, semi-Constitutional entanglement that was already supremely engrossing and that threatened before long to prove a source of no little embarrassment both to the Court and to the Realm. Francis Ferdinand up to the moment of his death was still something of a dark horse. Any time during the past two decades, even in Vienna itself, it has been possible to collect twenty different estimates from twenty equally well-informed observers of the Archduke's political views, character, ambitions, and activities. The light that beat on him when the suicide of Prince Rudolph placed him next in succession to the throne failed to illumine him. The book that he wrote on his travels round the world was likewise too severely edited to reveal more than the outside husk of his mind and temperament. But it was thought significant that from the first page to the last he hardly once mentioned Germany, that he openly and enthusiastically praised the French, that while liking the English as individuals and admiring, though with reservations, their work as empire-builders he seemed to feel little sympathy with them collectively, and that his trip to the United States left him apparently without a single pleasant recollection either of the people or the country. But all this does not take us very far, and of trustworthy data on which to base a judgment there is curiously little.

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That little, however, is interesting. There emerges from the study of it a picture of a shy, slow, rather heavy man, stiff-necked to a degree, a stanch Catholic—he was brought up by the Jesuits and he openly patronized the Katholischer Schulverein, an ultra-clerical and ultra-reactionary association that was anti-German, anti-Magyar, anti-Semite, anti-everything except the Church and the dynasty as the bulwark of the Church—capable in his relations with men and women of a few deep affections and of one overpowering passion, but in general company ceremoniously unexpansive and distrait, a man of simple tastes and stubborn pride, an exacting worker, not without visions of large schemes in statesmanship or intrigue, and plodding toward whatever end he sought with a tenacity that merely thrived on opposition. Quick-tempered and impetuous by nature, he had himself under thorough control. It was only of recent years that he became anything of a political power, but his influence, there is good reason for thinking, was potent during the past decade in more than one direction. No doubt far more was ascribed to him than he ever really contemplated, but two significant developments unquestionably owed much to his initiative and support. It was he who inspired the building of the Austrian Dreadnoughts and did all he could to hasten the day when the Dual Monarchy would count among the naval Powers of the Mediterranean and Adriatic. And it was he who was primarily responsible for the appointment of Baron von Aehrenthal and who consistently applauded his "forward" policy in the Balkans, the first fruit of which was the annexation of Bosnia and Herzegovina, and a certain emancipation of Austro-Hungarian foreign affairs from the dictation of Berlin.

In domestic politics, too, it is known that he had no liking for the Magyars, that he chafed under the exactions they were able to levy upon the Austrian half of the realm, and that in the conflict between the Crown and the Hungarian Parliament over the army question he constantly urged the Emperor to stand firm against Magyar pretensions. He cultivated, moreover, close personal relations with the leaders of the various races—the Rumanians, the Slovaks, and the Serbo-Croatians—who are more or less oppressed by the Magyars; while his Bohemian wife and properties made him familiar with and, it was thought, sympathetic to the demand of the Czechs for Bohemian autonomy. Indeed,

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it was generally believed that he was feeling his way toward, and on his accession would endeavor to give effect to, the conversion of the realm of the Hapsburgs from a Dual to a Triple and even a Quadruple Monarchy. Men assumed, rather by instinct and inference than on any more concrete grounds, that he favored the creation of a self-governing southern Slav State to offset and detract from the predominance of the Magyars, and that he would prove as Emperor by no means averse from the recognition of the ancient rights of the Kingdom of Bohemia. The understanding was, in other words, that he regarded Federalism as the ultimate destiny of Austria-Hungary, and that had the Balkan War gone as he and most Austrians expected it to go, had either the Turks in the first struggle or the Bulgarians in the second succeeded in crushing Servia, he would have urged the Emperor to intervene, to extend an Austro-Hungarian protectorate over the whole of the Serbo-Croatian race, and so pave the way to the formation of a new Catholic State under the sovereignty of Vienna. Such schemes with all their incalculable risks may have passed before his eyes; nobody—or nobody, at any rate, who is willing to talk—is able either to affirm or to deny that they did not. What at least is certain is that he was supposed to entertain them and that the supposition impelled every race in that polyglot Empire to anticipate his accession to the throne with the keenest expectancy.

The most decisive act of his life, the act that first revealed him to the world and to his own countrymen as a man of formidable will-power, was his marriage to Countess Chotek. Often urged, badgered, almost commanded to marry by the Emperor and his Ministers and by the opinion of the Court and of the Press, he succeeded at length in making it understood that he would choose his own wife in his own good time. Just when every one had pretty well abandoned in despair the idea of his ever marrying at all, he fell in love with Countess Sophie Chotek, a lady-in-waiting in the château of one of his cousins, and a clever, sympathetic member of a noble but impoverished Czech family. Probably nobody thought that the Emperor would ever consent to his making her his wife. For by the family law of the Hapsburgs such a marriage was technically a *mésalliance*. Francis Ferdinand could become Emperor of Austria, but his wife could never become Empress, nor could their eldest

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son inherit the throne. That in itself was thought to be a sufficient impediment. But what added to its gravity and brought a new element of uncertainty into the whole situation was that the Hungarian law recognized no such thing as a morganatic union, and that consequently the consort of the King of Hungary was *ipso facto* Queen and their eldest son the Heir-Apparent. To all the other distracting problems of the Dual Monarchy there would thus be added, if the marriage were to take place, the possibility of a dispute over the succession. And besides these political objections to the Archduke's union with a lady not of his own rank there were the social objections, nowhere so strong as in Vienna, because nowhere else are blood and station so esteemed. Nevertheless, in spite of the most intense opposition, the Archduke's persistence, backed up by the influence of the Vatican, carried the day. A solemn pledge was, however, obtained from him that he would always regard his marriage as a morganatic union, one on which no claim to a share in his rights as a member of the reigning house could ever be founded, either by his wife or any child she might bear him; and he swore also, with equal solemnity, never to annul this declaration, never to undertake anything that could in any way weaken or destroy its force.

There are those, however, who are firmly convinced that the keynote to almost everything the Archduke did or attempted in the past fourteen years was his determination to be released from his pledge, to place his wife by his side as Empress, and to secure to his son and heir the succession to the throne. His influence with the Vatican and with all the Clericals in Austria and the marked change that came over his formerly distant relations with the Kaiser were widely interpreted as indicative of a plan to bring pressure upon the Emperor to acquit him of the consequences of his vow. That there was such a plan is probable. That ultimately, if not by constraining the Emperor, then through the instrumentality of foreign recognition or of a vote in the Austrian Reichsrath or of a dispensation from the Vatican, it would have succeeded, is also most likely. But that the Archduke could never have gained his point without a furious social struggle with the entire Austrian aristocracy, without convulsing the Court, and without raising some very delicate moral and constitutional problems, may be looked upon as certain; and when in addition it is remem-

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bered that his Clerical leanings and his Federalist and anti-Magyar sympathies were already a ground for serious uneasiness as well as for sanguine and perhaps unrealizable hopes, it will be understood that, mingling with the horror at the crime of Serajero, there is an emotion of something like relief that Austria-Hungary has been spared the manifold problems that the accession of Francis Ferdinand must inevitably have propounded.

The shadows, however, that lower over the future of the Dual Monarchy are very little dispelled thereby. The new Heir-Presumptive is young and popular, but politically an unknown quantity; and he sees before him responsibilities that might well test a Bismarck or a Cavour. For what is the realm of the Hapsburgs? It is a jumble of eight or nine polyglot peoples, cooped up in a space smaller than Texas, owning a common scepter, but without cohesion or common interests or a common character. Each race has lived its own life, made its own history, produced its own literature, and struggled unceasingly to dominate its neighbors. Up to the middle of the last century the Germans were the victors. They ruled the whole realm from Vienna, enforced German law and the German language everywhere, and tried to make each race forget that it had ever had a history, a language, or an entity of its own. Solferino and Sadowa overthrew their leadership. The Hungarians, or rather the dominant race in Hungary, the Magyars, recovered their independence, and a great wave of patriotism swept through the races that had been so nearly extinguished. It showed itself first in a swift revival of local dialects; it spread from schools and literary societies and patriotic poets to patriotic historians and statesmen, under whose guidance it culminated in a demand for the restoration of national rights.

That has been conspicuously the case with the Bohemian agitation. The efforts of the Czechs to elbow out the Germans and to re-establish the ancient kingdom of Bohemia, Moravia, and Silesia, with a Parliament at Prague, and a recognition of the equality of the German and Bohemian languages, have been one of the main battle-grounds of Austrian politics during the past fifty years. And it was the comparative success of these efforts that for many successive years paralyzed parliamentary government in Austria, drove premier after premier into resignation, and made men think that the Dual Monarchy was on the verge of dis-

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solution. The Bohemian question is not unlike the Irish. In both countries there is a fierce and instinctive racial antipathy. In both there is a demand for Home Rule supported by the native majority and resisted by the foreign "garrison." The position of the Germans in Bohemia is precisely that of the English and Scotch settlers in Ulster. The position of the Czechs is precisely that of the Irish Nationalists. The German feels for the inflammable and "interesting" Slav very much as the Anglo-Saxon for the Celt, and the Slav retorts upon the "pig-headed" German the same epithets that fall from Mr. Redmond and his followers. The Germans in the Vienna Reichsrath feel themselves bound to the preservation of the German colony in Bohemia just as the English majority at Westminster holds itself responsible for the civil and religious liberties of the English colony in Ireland.

But the Bohemian question is really worse than the Irish. It is as bad as the Irish question would be if the Irish still spoke Erse, and if Ireland were within sight of the United States. What has accentuated and embittered the German-Czech feud and raised it to international importance is, first, a difference of language, and, secondly, the neighborhood of two great Powers, each of which claims kinship with the warring races. The language question is, on the surface, nothing more than the question of whether in the administration of Bohemia, in the law courts and Government offices, an uncouth Slav dialect, spoken by the majority of the Bohemian people, but as useless outside Bohemia as Gaelic outside the Highlands, shall be put on an equality with German, the language of a great commerce and a great literature, known the world over, and the native tongue of nearly half the population of Bohemia. That is in itself a complex and delicate problem. But its difficulties are immensely increased by the injection of the race issue. The Germans look upon an admission of the official equality of the two tongues as the thin end of the wedge of Slav inundation, the forerunner of German absorption by an inferior and hated race. In fighting for the German language they are fighting for German rule and German authority, for the last remnants of an ascendancy which was once absolute throughout the Empire. The bitterness of the struggle between them has led both nationalities at times into the awkward habit of looking across the border for help. Whenever a concession is made

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to the Czechs the Germans vow they will stand it no longer, and that, sooner than stay and be swamped, they will exchange the Hapsburgs for the Hohenzollerns and join the great German Empire across the border; while directly the Germans win a point in the endless fight there follows the spectacle of five million Czechs appealing to their Russian brothers and cautiously sounding the Czar's "racial instincts." All this may mean nothing, but it is worth noting that only a few years ago both in Berlin and Vienna there existed fully formed and most active parties with no other plank in their platform than the consolidation of German-speaking Austria with the German Empire.

And this is but one of the troubles of the Hapsburg Monarchy. The same or a very similar racial ferment obtains among the Poles and Ruthenians, among the Germans and Italians in the Tyrol, and among the Hungarian Magyars and the Slav races whom they hold severely in check. Nor is that all. There are a hundred differences of religion and social and economic interest. There is Anti-Semitism, which is the protest of the small trader against the commercial prosperity of the Jews. There are all the familiar conflicts between landowners and manufacturers, between Clericalism and Liberalism, between the aristocracy and the people. There is the ceaseless endeavor of the Vatican to undermine the Triple Alliance by reducing Austria to impotence. There is the growth of industrial and agrarian socialism. There is the increasing antagonism of sentiment and interests between the Germans in Austria and the Magyars in Hungary. There is the great and menacing upthrust of the Southern Slavs since the Balkan War. There is the throttling of trade in a thousand cumbrous restrictions imposed by a bureaucracy that instinctively puts the barracks before the factory. And, finally, there is a wretched fiscal and a still more iniquitous parliamentary system. No foreigner can hope to follow the crossings and interplay of all these currents. Austria-Hungary is a many-tongued chaos in which even Austrians and Hungarians can see no more than a half-light. One cannot, therefore, wonder that many people have looked forward with dread to the time when the venerable Emperor's patient and calming wisdom is no longer guiding the helm; or that they should anticipate a terrific racial explosion that would hurl German-speaking Austria into the arms of the Hohenzollerns, deposit an

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autonomous Czech State here and an autonomous Polish State there, both of them destined finally to absorption into the Russian Empire, join the Trentino to Italy, create a Greater Servia, and leave the Magyars to form an embarrassingly naked "buffer State."

But these apprehensions have been the common stock of political prophecy for a generation and more, and yet Austria-Hungary still survives. Indeed, one of the best reasons for thinking that the Dual Monarchy will not break up is that it has not already done so. The prophets of disruption, stimulated by the assassination of the Heir-Presumptive, seem clamorous enough to-day; they have been more clamorous in the past. The "crisis" at this moment has all the air of vital stringency; we forget that fifty and sixty years ago it was more stringent still. It is the fatality of Austria-Hungary never to be without a "crisis" of sorts, and yet always to evade the logical issue—the logical issue, in the view of the pessimists, being disruption. But is disruption the natural outcome of an internal commotion? Is there an instance in modern history of a State, not shattered to pieces by a foreign foe, but shattering itself to pieces by force of centrifugal reaction? We sometimes forget how great, in these days of railroads and multiplied intercourse, is the cohesive power of a State merely because it is a State. And in the case of the Dual Monarchy it is not paradoxical to maintain that its defiant strength is largely due to its very complexity; that the diversity of the antagonisms it contains really makes for equilibrium; that there is, in fact, a static quality in the infinity of its cross-currents and cross-purposes, and in the intermingling of its multifarious opposites. If one were to say that Austria-Hungary is too bewildering for revolution, too much at war with itself to be subverted, it would be difficult to impugn the statement as merely fanciful.

But the realm of the Hapsburgs has many and positive elements of strength. The Monarchy, to begin with, is an admitted point of agreement. Nobody has ever dreamed of proposing to upset it. Secondly, the dynasty is equally popular and equally secure. So long as there is a throne, it is not conceivable that any one but a Hapsburg should occupy it; and the influence of the throne in all that concerns Austria-Hungary, its domestic as well as its foreign affairs, is greater at this moment and finds a readier ac-

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ceptance than at any period of the confessedly autocratic régime. Again, as a third bulwark of the State, there is the army, in which all must serve, which is of all races and creeds, and therefore of none, and the atmosphere of which is broadly and impressively imperial. And beyond this, and beyond even Palacky's dictum on the "international necessity" of Austria-Hungary, there is the fact that no race, as a race, has any interest in, or anything to hope from, disruption. Even the Kossuth Irreconcilables wished to maintain the link of the Crown; and as for the Czechs and the Poles and the Italians, it is not for separation from, but for fuller liberty within, the Empire, that they agitate. The Catholic German-speaking Austrians have no real desire to form a part of Protestant Germany, and the Slav races, in spite of their just grievances against the Magyars, know that revolt simply means exchanging the Hapsburgs for the Romanoffs. There is, in short, no movement to which the old formula of "self-government, but within the Empire," might not be applied; and the sooner it is applied to the peoples who are struggling to-day with a greater intensity and success than ever against their German and Magyar rulers—to the Southern Slavs, especially—the better for the peace and stability of the whole Empire and of each of its parts.

SYDNEY BROOKS.

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COMMODORE MACDONOUGH AT PLATTSBURG

BY REAR-ADMIRAL A. T. MAHAN, U. S. N.

EVERY notable battle may be viewed under two aspects: first, its own intrinsic value, as an exhibition of military skill, or of the reverse; second, its relation to circumstances, precedent, contemporary, or subsequent; its influence upon the course of events; its timeliness, if a victory; the disastrous consequences, if a defeat.

Probably every large engagement in the course of a war has some such bearing, although not in every case is it quickly discernible; but where result is clear and great the incident itself may merit the epithet decisive, even though on a small scale as to numbers or as to strenuousness of action. Thus the battle of Valmy, in 1792, at the opening of the French Revolution, amounted to little more than a distant cannonade; but, causing the retreat of the allies before the French, at a moment critical for moral impression, it has been reckoned among the decisive combats of the world—"a landmark in history."

The naval battle of Plattsburg, September 11, 1814, has a clear claim to consideration from both points of view. Although the scale of force was small, the action of each combatant was characterized by great energy; and that not the energy of "one who beateth the air," but, as testified by the destruction wrought, that of men who by training and habit plant blows which tell, eliciting from the opponent the endurance illustrated by both on this occasion. The encounter was marked also by much skill in the American commander, utilizing the advantages for defense allowed by circumstances to his inferior force, and improving the four or five days which his adversary, through no fault of his own, was obliged to permit. To quote a quaint summary of the

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Art of War, that it consists in "getting there first with the most men," Commodore Macdonough had not the most men, —his fleet was decidedly weaker—but he reached the point of inevitable conflict first, and used to the utmost the opportunity thus gained. Under all the conditions to be narrated, the imputation for failure, in allowing Macdonough this advantage, cannot rest against the professional reputation of his opponent, Downie, except in so far as a very young man, untried in chief command, was overborne by the pressure of the commander of the British land force, a man much his senior in rank and years. He was thus impelled into precipitate attack, in which he did not receive the support he expected, and for which, under the spur of his colleague, he did not take the needed time for preparation. In broad principle, these are the leading features of the battle itself; the details will follow in the narrative of incidents.

But, however important the military instruction of a particular battle, or however interesting its attendant incidents, nothing is so illuminative as the recognition of its relation to other events, and of its effect upon great issues. The recital of these need not have the full development which the details of the battle itself demand in order to be understood; but, just because statement may be brief, comprehension of the national debt to the victorious commander may be more easily grasped. It is therefore desirable to recall a few dates.

The United States declared war against Great Britain June 18, 1812; that being the day on which President Madison signed the Act of Congress. Six days later, June 24, Napoleon's "Grand Army" crossed the Niemen for the invasion of Russia; an enterprise resulting in the Emperor's ruin, to the intense discomfiture and dismay of the American Government. This had counted naturally upon his overweening power to divert the principal effort of Great Britain, to encounter which the nation was wholly unprepared, thanks to the military imbecility and utter neglect of the administrations of Jefferson and Madison. On October 24, 1812, began the French retreat from Moscow, the catastrophe of which need not be recalled here. Returning to Paris, Napoleon reconstituted his means of warfare; to such effect that, through the employment he gave the enemy's forces, the year 1813 was the critical period of the struggle in America. During it the United States—if it had been

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ready, instead of egregiously unready—had the opportunity to overwhelm Canada, while substantially all the British army available was engaged in supporting the coincident gigantic contests, in Germany and in Spain, between Napoleon and the Great Powers of Europe. Not till November of that year was Napoleon forced to abandon Germany and retire behind the Rhine; not till October did Wellington cross the Spanish border and enter France. On April 10, 1814, he defeated Soult at the battle of Toulouse, and the next day Napoleon's first abdication put an end to the European war.

During this fateful year, 1813, it was impossible for Great Britain to detach to Canada forces sufficient for its preservation. If the United States had been in any degree prepared for war, Jefferson's vainglorious boast, that to conquer Canada as far as Quebec would be a mere matter of marching, might well have come true; but there was no army to march. The only success to lighten the gloom, which even at the distance of a century envelops that year of shame, was the naval victory won by Perry, on Lake Erie, September 10th; and that, from the hewing down of the first tree for his impromptu fleet to the moment the British ships lowered their flags, was Perry's own. The Northwest was saved by a single naval officer; for the sequence, the regaining of Detroit, the winning of the battle of the Thames, and the establishment of American control from Detroit to Sackett's Harbor, was simply the reaping of a harvest the seed of which Perry had sown.

Happily for the United States, the intensive strength of naval life, its immunity, through the seclusion of the sea, from the deteriorating atmosphere of alien surroundings, had kept vigorous an efficiency which owed nothing to the government of the day. Only the entreaties of the most prominent officers of the navy had obtained from that government that the ships of war should not be shut up in port for their preservation, as had been proposed; by which not merely would our returning merchant vessels have suffered loss an hundredfold, but the few naval victories that consoled the nation in its humiliations could not have been won. Something of the success on the Lakes may be attributed also to the youth of the officers. Perry was twenty-eight, Macdonough thirty-one, at the time of their victories.

The events and conditions summarized in the last two

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paragraphs form the setting in which the battle of Lake Champlain must be regarded, if its importance is to be understood. The year 1814 was not as unrelievedly disgraceful to the American arms ashore as 1813 had been. Troops in the field under good officers become good troops, a truth for which Lundy's Lane, Chippewa, Fort Erie, sufficiently vouch; as the events of Bladensburg and Washington, within a month of Lundy's Lane, exhibit grotesquely the pitiful inadequacy of which the same human material is capable when raw and untrained.

The downfall of Napoleon had now loosed the British armies. The troops which occupied and burned Washington, those which fought at New Orleans, and there missed success by a margin narrower than is generally understood, were veterans from Wellington's Peninsular forces. So also, and in far more imposing numbers, were those whose invasion of the United States, with the claims which the British Government hoped to found upon their occupation of American territory, was frustrated by Macdonough, by his professional skill and professional care; for again there was no American land force upon which to reckon to arrest an advance.

The last of the reinforcements from Wellington's army in the south of France reached Montreal from Bordeaux, August 14, 1814, just four weeks before the naval battle. Prevost, Governor-General of Canada, and commander-in-chief of the land forces, now had under his command, in upper and lower Canada, over thirty thousand troops; of which two thousand only were provincials, the remainder veteran regulars. Of these, eleven to fourteen thousand were approaching along the west shore of Champlain toward Plattsburg. To oppose them, the American General Macomb had only fifteen hundred regulars fit for the field. His militia could not be brought to stand against the enemy, in open ground; and the British Peninsulars pushed forward contemptuously, almost silently. "They never deployed" (that is, formed order for battle) "in their whole march," reported Macomb; "always pressing on in column." It was hoped that behind the works at Plattsburg the militia would do better, and not improbably they might; but Macdonough's precautions spared them the test.

To complete the general military situation on the northern frontier, from Niagara to Lake Champlain, it should be

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mentioned that at this time the Americans were on the point of abandoning the only foothold they had on the Niagara peninsula; that Fort Niagara, on the American side, was held by the enemy; and that the naval command of Lake Ontario was about to pass into British hands. Everything thus depended upon Macdonough. If he were beaten, Plattsburg must fall by the severance of its communications, as New Orleans fifty years later fell to Farragut. That accomplished, the British would control the lake, ready for next year's campaign; possibly, even during the brief remnant of the current season, such naval establishment as existed on Lake Champlain could be destroyed. It was recognized on all hands—explicitly by the Duke of Wellington—that command of the water was the essential of success. This dictum by itself measures the greatness of Macdonough's service, and summarizes the relation of the battle of Plattsburg not only to the immediate result—the arrest of invasion—but to the general situation in Europe, then very critical, and to the peace negotiations then carrying on at Ghent.

Like Perry, and like Chauncey on Lake Ontario, Macdonough in chief measure built his fleet as well as fought it. In the first year of the war, and until 1814, Lake Champlain, which had been the great line of operations, to and fro, in the campaigns of the colonial period and the Revolution, counted for little in the plans of either party. The British in Canada had during this period no force adequate to invasion; nor had the Americans, although in mere numbers decisively superior. Effort, therefore, had been confined to Lakes Erie and Ontario. These, from their considerable width and boisterous surface, and the direction of their length—east and west—were less decisively favorable than Champlain to invasion, the general advance of which would be north or south; but, as they touched through four hundred miles the shores of both belligerents, naval control protected its possessor from the desultory enterprises chiefly to be feared, and facilitated the transportation of men and supplies. Champlain, strategically considered, was a great highroad of communications flanking any advance along it, and thus eminently suited for invasion. When Macdonough took his command, in the autumn of 1812, there were only two gunboats, very small vessels indeed, propelled by oars, or sail, as need be. Six lake trading-sloops, of a hun-

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dred tons each, had been bought for army transport, and these were directed to be turned over to him; but three proved unfit to carry guns, so that only three became naval vessels. Small as this force was, it was superior to the British, who had but one sloop; but the indiscreet action of a junior officer, running eagerly to attack before a fair breeze, heedless of possible necessity to retreat, brought two of the American sloops under the much superior fire of land troops, in a position at the narrow outlet of the lake, whence they could not retire against the wind. Having to surrender, superiority was transferred to the enemy. This was in June, 1813. Eight weeks later, a British officer at Quebec, Captain Everard, brought up the crew of his ship, manned the captured sloops, and ravaged the shores as far as Burlington. The two sloops remained British, and under the names *Chub* and *Finch* took part in the battle.

Both sides now started to build. The British came out first, with a new brig called the *Linnet*. With her and several small craft, Captain Pring, on May 10, 1814, made an attempt on Otter Creek, fifteen miles south of Burlington, where Macdonough's new ship, the *Saratoga*, was nearly ready. The naval attack could not be pressed home, because the *Linnet* was too valuable to be risked against the American shore batteries; and the extemporized navy-yard at Vergennes, seven miles up the creek, was protected by marshes against a raid by land forces, if such had been present. Three weeks later, the *Saratoga* was out, commanding the lake. On May 29th she anchored off Plattsburg in company with the schooner *Ticonderoga* and the sloop *Preble;* three out of the four that shared in the battle of September 11th. Macdonough's superiority during the three summer months gave the Americans unmolested use of the lake for the transport of troops,—almost wholly militia,—of stores, and of all things available for the land defense of Plattsburg. To perfect this control, the squadron in early June took advanced position ten or fifteen miles below (north of) Plattsburg, in the narrows of the lake. There it blocked the British forces from entering, and also intercepted supplies which parties in Vermont, shameful to tell, had been sending to the British. American boats actually captured several principal spars being rafted from Vermont to equip the new British ship, intended to wrest command of the lake from the Americans.

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Macdonough now reported that he was decisively superior for the time to the British; but that the odds would be reversed when their new ship should be launched. The Navy Department therefore authorized further construction, the Secretary lamenting the occasion for this "race with the adze," which had already cost much on Lake Ontario without decisive results. In pursuance of this permission, a twenty-gun brig, named the *Eagle,* was laid down at Vergennes, July 23d, launched August 11th, and joined the squadron, still in the narrows, off Chazy, on August 27th, five weeks after her keel was laid.

On August 31st the British army, which had assembled along the frontier some days before, began its southward march. General Macomb notified this to Macdonough, and suggested that he shift his position to Plattsburg Bay, with a view to the galleys — gunboats — molesting the enemy's flank, if they advanced along the beach. Macdonough complied at once, and the galleys did render some help in the expected contingency; but the enemy brought up guns, compelling them to retire. The British columns reached the north bank of the Saranac River, on which Plattsburg is, September 6th, having undergone some delay, not from Macomb's troops, but from obstacles placed by him, and bridges destroyed. Prevost then waited for Downie, from whom he expected, not only co-operation in the general conduct of the campaign, but also, explicitly, the support of a simultaneous attack upon the American vessels while the troops assaulted the American works.

The line of the proposed British advance being along the west shore of the lake, Plattsburg with its surroundings was their first serious obstacle. The conformation of its bay, open to the south, but sheltered from the north, gave secure anchorage during the only winds with which the hostile squadron, coming from the north, could approach. Not only so, but when rounding Cumberland Head—the outer point defining the bay to the eastward—the wind, so far fair, would become less so, and might even be foul, or scant, when the course was changed in order to enter. This might constitute a marked difficulty in executing an attack upon a position carefully chosen and established; the more so that, the lake vessels being of light draught and flat bottomed, close-hauled was their worst point of sailing. The new and very big British ship, the *Confiance,* drew only

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eight and a half feet. Instead of making the point for which they headed, they slid off to leeward. The enemy, from this cause, especially when subject to the fire of the defense, might not be able to reach his intended positions, and the most carefully arranged plan of action thus be disconcerted, as happened in the forthcoming encounter.

This is one instance of the inconveniences under which the offensive always labors, on land or on sea. It is the offset to the specific advantage of the initiative, acquired by the offensive through retaining the power of movement, which the defense surrenders in order to secure a well-ordered position. Such movement may take the form of the unforeseen, or at least of the unexpected; and unless the defense has exercised every precaution, against all possible devices of the assailant, he may find himself outmanœuvered, without any opportunity to retrieve his original oversight. This befell the French fleet at the battle of the Nile, fought by it at anchor. This Macdonough forestalled by his admirable prevision, which eliminated every adverse possibility, save that unforeseeable "chance" which Napoleon and Nelson have told us may derange the best military calculations.

It is due to Macdonough, therefore, that his dispositions be clearly explained. These are his chief title to honor, outweighing even the admirable tenacity shown. This quality he shared with all who fought under him; the merit of commander-in-chief is his alone.

Cumberland Head is two miles long and two miles from the New York shore. The squadron, therefore, should be anchored well north of the point of the Head, and as far from it as judicious; because, the more north, the less fair the wind for the assailant, and the farther from the Head the greater the distance he must travel, not only under this disability, but under the fire of the defense. There were limitations, however. If too far north, the enemy might bring guns to the north shore, compelling retirement; if too far from the Head—that is, too near the New York shore—the heights of Plattsburg might be captured, the guns turned on the squadron, and it driven into the open lake, where the British superiority was assured. With space for manœuvering, under sail, the *Confiance* was superior to the whole of Macdonough's command; but not necessarily so under the conditions at anchor.

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These considerations determined the general position of the squadron as a whole. Macdonough, by a statement made some time afterward, considered it to be a mile and a half from the Plattsburg batteries. For reasons not necessary to give here, it is probable that his memory overestimated the distance; that it was little over a mile. The heavy guns of the period would throw so far only with much elevation, and consequent uncertainty of aim, expressively styled, in the naval vocabulary of the day, "random shot." The northmost vessel was so far north of the point that the *Confiance,* entering with a breeze as favorable as north-northeast, failed to reach it. If the wind had been north, or to the westward of north, this handicap would have been still greater.

The specific dispositions assigned the vessels in this general line were eminently thoughtful and correct. The word thoughtful is particularly applicable. Time, the invaluable ally, was on the side of the Americans; but, like all opportunities, time unimproved is valueless. The unavoidable delays in getting the *Confiance* out gave Macdonough time enough to execute his plans, but not enough for an unprepared mind to devise and determine in a case not already maturely considered. The promptness of the arrangements, as well as their completeness, shows a mind stored with resources; the accumulation of hours of deliberation, reinforced, not improbably, by acquaintance with historical precedents, the fruits of professional study, which suggest or correct the conclusions of the individual judgment.

Of Macdonough's four ships, the *Saratoga* and the *Eagle* were much the heaviest. Their united batteries outweighed those of the two principal British, the *Confiance* and the *Linnet;* a condition which partly, but not entirely, qualified the actual great superiority, in weight and range of guns, possessed by the *Confiance* alone over any one of her possible opponents. Having to fight with a north wind, these heaviest two ships were placed at the north end of the line. They thus not only would have a wind fair to help the rear, which they would not at the south end, but the heavier British vessels were compelled to seek them at once—steer direct for them—under pain of being thrown out of effective action altogether; while by the position taken they had also to make the attempt with the wind least favorable for reaching their object. Any particular scheme for doubling on

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the head of the American line was thus rendered as difficult of execution as possible; and the British commodore designed just such a manœuver. The northerliness of the position was controlled by the possibility, already mentioned, that the British might bring guns to the north shore of the bay. The north of the column must be out of reach of any such.

Under these circumstances the *Eagle* was made the leading—north—ship. She lay a little south of the mouth of the Saranac, and a little over a mile east of the American batteries on the Plattsburg heights, which were also south of the river. From her the line extended southerly, in total length about half a mile. The order was *Eagle, Saratoga, Ticonderoga,* (schooner), *Preble,* (sloop). The galleys, or gunboats, of which there were ten, were to keep under way, with sails or oars, or both, as circumstances should dictate. The distribution of them conformed to the general principles that decided the main order. They were stationed forty yards from the line of vessels, on the side away from the enemy's approach; three a little north of the *Eagle,* strengthening what was recognized to be the probable objective of the British, and three between the *Ticonderoga* and *Preble,* reinforcing the rear, which intentionally was left otherwise weakest. The other four fronted the two other intervals in the column. From the whole arrangement, the British attack must be—could not but be—on the head of the line; any other must be resultless.

Macdonough thus obliged the enemy to conform the general lines of his action to his own dispositions, a chief merit in a commanding officer. It is told of a chieftain of antiquity that he cried to his opponent, "If you are the great leader you are said to be, why do you not come down and fight with me?" but he received the pertinent reply, "If you are the great general you think yourself, why do you not *compel* me to come down and fight?" In other words, generalship consists not only in skilful fighting, but in forcing your antagonist to accept the conditions you wish. This Macdonough effected, in the broad outlines of his plans. The enemy must fight, for he must control the lake. This circumstance was improved to make him fight a carefully prepared fleet at anchor, losing much of the indisputable superiority he had when underway. He must also attack the strongest part of the defense's order, under the most dis-

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advantageous conditions. Macdonough could not influence the particular method the British commodore might adopt. He had constituted for him the problem; he could not control the attempted solution.

Even in this, however, something would depend upon the attendant circumstances of the battle; upon those that might be anticipated, and also upon the wholly unforeseeable—the "chance" of Napoleon and Nelson. The superiority of the *Confiance* lay partly in most of her guns being what were then known as "long," the value of which was in their range, exceeding much that of the short guns called carronades. There was such a thing as being within reach of the first, and beyond that of the second. The long twenty-fours of the *Confiance* were of the class which the heavy American sea-going frigates then carried. Of them she had fourteen in broadside; the *Saratoga* only four. If she could choose her distance and also her position—as in a fight under way she might—fourteen to four would represent the odds, the carronades being thrown out of range. But not distance only, direction from the *Saratoga* also must be insured; and, to get this certainly, some ground to the north of Cumberland Head must be gained against the wind. This meant farther to go, westward; distance shortened, possibly to carronade range. Moreover, confirmed British tradition favored short range. "Lay a Frenchman close, and you will beat him," was a proverb Nelson inherited from his predecessors. Downie would have had to be an exceptional man to play at "long bowls" for advantage, as Hillyar at Valparaiso had done less than six months before, when he captured our *Essex;* but Hillyar was an old officer of established reputation, while Downie's spurs were yet to win. As three-fourths of the *Saratoga's* battery were carronades, the importance of these factors is evident. A further element, which Macdonough could not know—an unforeseen "chance"—was that Prevost was daily nagging Downie into action.

It would naturally be expected, and was the case, with an engaged vessel, that the side toward the enemy would receive the greater damage, and that much of the injury would fall upon the guns, they being close together in the short vessels of that date. Hence this broadside—a term signifying the guns on one side—would undergo progressive diminution during the fight. The small penetrative power

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of ordnance then would rarely leave much destructive force to reach the guns on the farther broadside; carronades, in particular, threw a very slow-moving ball, which crashed and smashed the timbers, but lost most of its way in so doing. The unengaged broadside, therefore, constituted a reserve of strength to be brought into play in emergency. A ship under way might do this by manœuvering, so long as her motive power lasted; but at anchor the process of getting under sail, coupled with the disablement of guns which prompted the attempt, would probably be fatal. Consequently, provision to bring the unemployed battery into action by other means was a prime essential in preparation at anchor; and it is obvious that a squadron with three or four days to get ready had in this a distinct advantage over one anchoring under fire. However careful the preparation, the anchors, cables, and springs were exposed to injury during the process of closing,—might be wholly disabled; while the hasty execution of the manœuvers, coupled with the necessity of sending at once a large part of the crew to the guns, would under the most skilful handling mar the precision attainable in quieter circumstances.

This factor was potent in determining the result at Plattsburg. Possibly the game had already been won when Macdonough in this manner brought up his reserve; but, as in many a renowned battle, it was the opportune advance of the reserves which changed the wavering of the enemy into the confusion of disaster. The analogy is not strained; it simply illustrates the homogeneousness of the military art, and the essential oneness of its few leading principles. Macdonough's merit is not lessened, but enhanced, by the care taken beforehand to insure his power so to act. Cooper gives an elaborate description of the means provided, which I doubt not he obtained from an eye-witness, though Macdonough's concise report is silent. The details are too technical for non-professional interest; suffice it to say that precaution to insure the needed end, if required, was doubled and trebled. The "preventers," to use the nautical term, the full force of which can be appreciated only by remembering that the original meaning of " prevent " is " to go before," —to anticipate—were ready beforehand, to act at once if the more usual means were lost by the chances of battle. Consequently, at the critical moment the American commodore brought to bear upon his opponent a fresh, unshaken force—

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the essential of every reserve—to which no adequate resistance could be made before defeat was inevitable.

Macdonough established his position on September 6th or 7th. The log of the *Eagle* shows that she took her fighting berth on the 7th. By the 8th everything was ready; and on that date Prevost, who had full view of all, notified the American dispositions to Downie. The two days following were spent in expectation; doubtless, with so wary a leader, many a small detail was improved here and there. Meantime, the British commander was wrestling with the distractions of incomplete arrangements, not of his own occasioning. His chief reliance, the *Confiance,* in herself more than half his force, had been launched August 25th. She did not haul from alongside the wharf into the stream until September 7th, the same day that Macdonough established his fighting order, and only five after Downie's joining. She started for the front at once, being towed by rowing-boats against head wind and the downward current of the lake. Her crew had been assembled hurriedly by drafts from ships at Quebec, the last coming on board the evening of September 6th. Though largely trained men-of-war's men, as their fighting proved, they were not yet an organic whole, being strangers to one another and to their officers; a circumstance sure to tell when opposed to a ship's company which, whatever its original quality, had been working together under skilled leaders for three months, as was the case of the *Saratoga.*

As a seaman, Downie would know that under such conditions a few days more could add very little to the American efficiency, but immensely to his own. It was otherwise with the land forces. There the American defense would depend chiefly upon the forts; and the defenders, being mostly militia, would gain largely in value, relatively to the British troops, already seasoned by years of Peninsular campaigning. In my judgment, the British lake navy could not have extended to the British army any such help in storming works as to make waiting for it expedient. For a campaign the vessels were absolutely essential, because the water must be controlled; but to an actual assault they could contribute little. Prevost thought differently, and had set his heart upon a simultaneous attack by fleet and troops. Hence, as each day's delay made his share harder, he was urgent with Downie. Moreover, in that northerly latitude,

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the season was already late for the extensive task cut out by the British Government; upon the speedy accomplishment of which it relied for dictating the terms of peace and for ending satisfactorily a war that not only was irksome, but weakened also its position in Europe, where perplexing and dangerous conditions continued to prevail.

Besides, the impression upon men's imagination from the battery of the *Confiance* must be reckoned with. In long-gun power she much exceeded the *Guerrière* when captured by the *Constitution;* while in the aggregate, including carronades, she threw five-sixths of the *Guerrière's* total weight of broadside. In broadside long guns she carried fourteen twenty-fours; the *Constitution* only sixteen. Her superiority to the *Saratoga,* the main reliance of the American squadron, was so striking as to throw into the background the accumulation of disadvantages which the previous analysis has shown. There was no time to analyze amid the preoccupations due to her backward condition when Downie joined, and a strong presumption of her invincibility doubtless affected action.

Accordingly, precipitate haste was the order of procedure. Equipment and forward movement went on side by side. On September 8th the toilsome progress of towing by boats was resumed, the newly arrived crew being then first stationed at the guns, while dockyard mechanics still labored at their fittings. That night the *Confiance* joined the rest of the squadron, fifteen miles north of Plattsburg. September 9th the wind continued still ahead, and so on the 10th, frustrating the intention to attack on this day, greatly and unreasonably to the chagrin of Prevost, who showed signs of temper. This short period was improved in drilling crews and completing details. Indeed, the last gang of workmen left the ship only two hours before she came under fire.

On September 11th the wind came fair, from north-northeast. The British squadron weighed before daylight—about five-thirty—and stood up the narrows for Plattsburg in column; the *Finch* leading, the *Confiance, Linnet, Chub,* following in the order named. This, when they rounded Cumberland Head, would point them for their several anchorages relatively to the American line. In Downie's purpose, the respective positions of the two fleets, when the battle was fairly joined, would be as follows:

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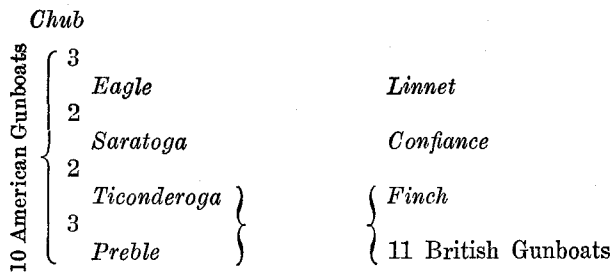

At seven-thirty, being then near Cumberland Head, the British hove-to and Downie went ahead in a small rowing-boat to assure himself that the Americans were still in the order reported. Finding them so, he returned, and the squadron at once resumed its way. Before settling down to the disposition shown above, it was intended that the *Confiance* should keep near the wind till some distance ahead of the *Eagle,* that she should then run down before it, slowly, and in passing give that American vessel a broadside, the weight of which might be expected so to crush her as to make more equal the task of the *Linnet,* normally much inferior. Furthermore, to even the contest, the *Chub* was to place herself on the other side of the *Eagle,* a little ahead; a position of vantage which, if attained, would spare the *Chub* much punishment, while enabling her to inflict a great deal. The *Finch* and all the British gunboats were to combine their attack upon the *Ticonderoga* and *Preble.*

In pursuance of this plan, in order that the *Confiance* might disable the *Eagle,* and then get out of the way of the *Chub* and *Linnet,* she pressed ahead of her consorts, with the result of concentrating upon her the fire of the American line. This, with a failure of the wind, spared the *Eagle* the threatened broadside; for the *Confiance* succeeded only in fetching abreast the *Saratoga,* at a distance of five hundred yards. The *Linnet,* next ahead of the *Confiance,* anchored abreast the *Eagle;* but the *Chub* also failed to reach her appointed place, being, like the *Confiance,* damaged in sails and rigging, and her commander prostrated in efficiency by what seems not to have been a very severe wound. She drifted helplessly through the American line, hauling down her flag on the other side of it. This left the *Linnet* alone, at grips with the Eagle; but the north-northeast wind turned the *Confiance* a little, so that the forward third of her battery could bear upon the *Eagle.* Thus directed, it more than

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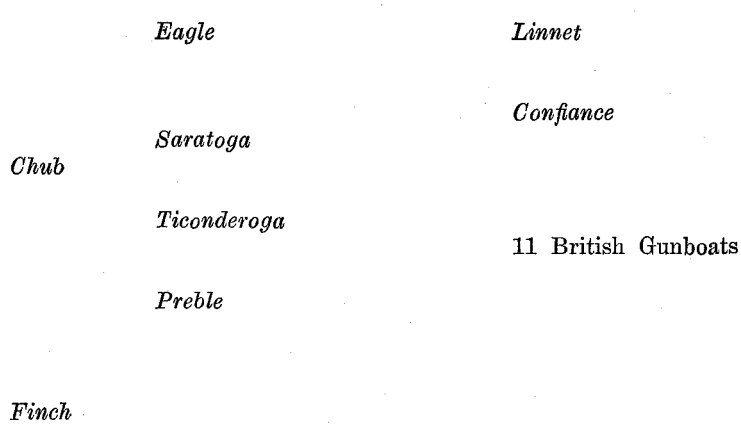
replaced the *Chub,* but at the expense of the *Confiance* herself; whose own antagonist, the *Saratoga,* thus received only two-thirds of her opponent's fire. The fourth and rearmost British vessel, the *Finch,* failed to gain her position at all, and in the end drifted ashore on Crab Island, a mile to the southward.

Such miscarriages as befell the *Confiance, Chub,* and *Finch* are frequent in all attacks, sea or shore; the ultimate result depends upon their magnitude and upon the prior dispositions and respective skills of the opposing commanders. Downie was killed fifteen minutes after the action began; but it is improbable that he could have retrieved the disadvantage under which the *Confiance* found herself at the critical moment, through Macdonough's precautions. In the rear, the mishap to the *Finch* left only the British gunboats to contend with the *Ticonderoga* and *Preble.* The latter was forced from her anchors and ran ashore under the American batteries; but the *Ticonderoga* repelled the attacks upon her.

The actual form assumed by the engagement, as contrasted with Downie's project, was therefore as follows:



The *Confiance* anchored at nine o'clock. By ten-thirty the *Eagle,* under the combined fire before noted, had many of her guns on the engaged side dismounted. She was anchored with her topsail yards mastheaded. To make sail it was necessary only to drop the topsails, not to hoist them; a precaution so characteristic of Macdonough as to suggest his directions, although he disapproved of the *Eagle's* use of it. Her cable was cut, and she ran down the line on the

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off side till in rear of the *Saratoga,* where she anchored again; but by the stern, thus bringing into action the broadside hitherto not engaged. Her withdrawal enabled the *Confiance* and *Linnet* to combine their fire upon the *Saratoga;* but, on the other hand, the then commander of the *Confiance* wrote, "In this new position the *Eagle* kept up a destructive fire on the *Confiance,* without being exposed to a shot from that ship or the *Linnet,*" and the *Confiance* was the key of the situation.

By this time nearly the whole engaged battery of the *Saratoga* was dismounted or otherwise unserviceable; while the *Confiance* had but four guns that could be used. The decisive moment—that of bringing up the reserves—had arrived. The *Saratoga* let go a stern anchor, cut the bow cable, and, through the means instituted by Macdonough in the hours of waiting, was turned round where she lay, promptly and without hindrance. But the stern anchor of the *Confiance* had been shot away; she naturally could have made no such elaborate preparation as her opponent; and it became necessary to attempt turning with a spring upon the bow cable. In the course of this comparatively—and usually—slow manœuver, the British ship got half-way round. There she seems to have hung, at right angles to the American line. In this position—"in chancery," as it were—for the time being helpless, a raking shot from the *Saratoga* swept the length of the ship, killing and wounding several. Then, reported her commander, "the ship's company declared they would stand no longer to their quarters, nor could the officers with their utmost exertions rally them." Her colors were struck, in token of surrender, at eleven o'clock. The *Linnet* kept hers up fifteen minutes longer; but the battle of Lake Champlain was won.

In the two hours between her anchoring and her surrender the *Confiance* received one hundred and five round shot in her hull; the *Saratoga* fifty-five. The British ship was kept afloat only by inclining to one side, to keep the shot-holes on the other out of water. Her loss in killed and wounded was over a hundred out of two hundred and seventy; that of the *Saratoga* fifty-seven out of a total of two hundred and ten. Few fights have been more resolutely contested.

The next day Prevost retreated into Canada. The invasion of New York by the Champlain route was impossible after the defeat of the fleet; and, despite the now great

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British superiority in land force in Canada, there was not time to organize any forward movement in any other quarter before winter. The battle had saved the whole frontier for that year; but more, it put an end to all British hopes of modifying conditions before peace. It thus insured to the United States peace under favorable stipulations; for, in the critical circumstances in Europe, Great Britain shrank from protracted warfare in America, and her Government, avowedly to itself, was simply taking the chance of the campaign to obtain territorial arrangements which it considered desirable for Canada and for the Western Indians. To these expectations Macdonough put an end. The battle of Plattsburg was decisive of the results of the war, so far as territorial and boundary demands were concerned. Otherwise, the injuries which had caused the United States to declare war remained unredressed, the British Government refusing the slightest concession. This was due to the failure of the three administrations, those of Jefferson and Madison, to make any military preparation. Great Britain had nothing to fear from the United States. On the contrary, in 1814, there stood between our helpless Government and disastrous reverse, with probable loss of territory in the north, only the resolution and professional resource of Macdonough, then an unrecognized seaman on the neglected waters of Champlain.

The news of the defeat reached England October 21st. Two weeks later the British Government offered the Duke of Wellington the command in North America. This was due, partly, to a wish to remove him from Paris, where it was feared a plot against his person was in progress; but the Prime Minister wrote also, "The Duke would restore confidence to the army, place the military operations on a proper footing, and give us the best chance of peace." Wellington replied, November 9th, that neither he nor any one could achieve success, in the way of conquests, unless with naval superiority on the Lakes. "The question is whether we can obtain this superiority. If we cannot, I shall do you but little good in America; I shall go there only to prove the truth of Prevost's defense, and to sign a peace which might as well be signed now." He added that, in the state of the war, Great Britain had no ground to demand any concession of territory. No higher indorsement can be given to the significance of Macdonough's victory, as of

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Perry's the year before. Peace was signed at Ghent, on December 24th.

In conclusion, it may be interesting to note that twice in the history of the United States naval force on Lake Champlain has produced decisive results. Macdonough's is one instance. The other was in 1776, when the petty flotilla under Benedict Arnold, by its presence and activity, compelled the postponement of the British invasion until the following summer, allowing the weak and unorganized Americans a year's respite to prepare. Arnold's operations coincided with the period during which Washington abandoned Long Island and New York, and retreated through New Jersey to Valley Forge. In the twelvemonth of grace thus secured Washington retrieved the abandonment of New Jersey, regaining a position menacing New York, and the Howes took the British army from New York to the Chesapeake. Burgoyne's capitulation followed, by which event the intervention of France was determined; and it was the French navy that, to use Washington's own words, "had the casting vote" in our War of Independence, when, again to quote our great leader, we were "at the end of our tether."

A. T. Mahan.

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THE CHANGING SENATE

BY GEORGE H. HAYNES

On the last day of May, 1913, there was witnessed in Washington the closing scene in a long struggle for change in our rigid Constitution. Secretary Bryan signed the formal announcement of the Seventeenth Amendment of the Constitution, providing for the direct election of Senators.

When the Constitution was under debate in the Federal Convention, outspoken advocacy of the election of Senators by direct vote of the people came from James Wilson alone. The great majority of the members accepted Madison's view, that in the election of the Senate there should be a "refining of the popular appointment by successive filtrations." But in recent years the conviction has been spreading that State Legislatures long ago ceased to "function" effectively as filters for popular appointment in the election of Senators. The result has been the enactment of the Seventeenth Amendment. Its course has been unique; for in regard to no other possible amendment could two of the bodies having part in its enactment be to the same extent parties in interest: in passing upon the proposal, members of the United States Senate were voting for or against a measure which might seriously affect their individual chances of re-election, to say nothing of its effects upon the spirit, prestige, and power of the Senate; moreover, members of State Legislatures, in voting to ratify the amendment were at the same time voting to deprive the Legislatures of a power which had greatly enhanced the influence of State legislators in national party relations. Hence, although the proposed amendment had been approved six times, at intervals between 1893 and 1911, by overwhelming majorities in the House of Representatives, until 1911 it was never allowed to come to a vote in the Senate. At the first session of the Sixty-second Congress, less than four months after

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its defeat by four votes in the Senate, it was approved by a vote of 64 to 24 (June 12, 1911). By that time it had become evident that the amendment was in accord with a rising and imperative public sentiment. And to that public sentiment the State Legislatures made haste to defer: in less than twenty-two months after the Senate gave its approval, the Legislatures of thirty-six States—the requisite three-fourths —had ratified the amendment.

No student of politics and no alert, public-spirited American citizen can fail to watch with interest and concern for the effects which this latest change in our Constitutional law is to produce. Is it an epoch-making reform? Will it work a revolution in the personnel of the Senate? Will the charge cease to be made that "predatory wealth" finds in the Senate its strongest fortress?

The Senate of the Sixty-third Congress is the last Senate to be elected by the State Legislatures. Already several vacancies have been filled by direct vote of the people, and with November of 1914 the regular schedule of such elections goes into full effect. But the ninety-six men who originally constituted it were all placed in office by the now discredited and discarded mode of election. Who, then, are these men? What do they represent? What has been their educational training, their business and political experience? What, under the old mode of election, made them available candidates? Few of these questions can be answered with completeness or with any great degree of accuracy. Nevertheless, the writer believes that when studies are made of the Senate of a score of years hence, it will then be of interest, as a basis for comparison, to revert to certain easily ascertained facts as to the personnel of the last Senate elected by the process ordained by the framers of the Constitution.

Of the ninety-six original members of this Senate, all but five are native-born American citizens. The exceptions are: Senators Nelson (Minnesota), Norway; Gallinger (New Hampshire), Canada; Hughes (New Jersey), Ireland; Sutherland (Utah), England; and Stephenson (Wisconsin), New Brunswick. Forty-five of the Senators are sons of the State which they represent. Ohio may claim the title, "Mother of Senators," for seven of her sons are in the present Senate. Kentucky has sent six, and Mississippi six, including, by strange coincidence, both of the Nevada Sena-

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tors. Fifth on the list is Indiana, with five to her credit. Tennessee, New York, North Carolina, and Virginia have each sent four.

The Senate belies its name, for it is no longer a body of ancients. The average age of its members during its first session was 57.2 years, just two and one-half years younger than the average age of Senators in the Fifty-eighth Congress (1904). But averages tell little; the grouping of Senators by decades is more informing. Three members were between thirty and forty years of age; seventeen between forty-one and fifty; forty-one between fifty-one and sixty; twenty-eight between sixty-one and seventy; six between seventy-one and eighty, and one over eighty-one. It will be observed that sixty-two, almost exactly two-thirds, had not passed the age of sixty, while only twenty-two had passed sixty-five, and but seven the threescore years and ten. Evidence of the rejuvenescence of the Senate is found in the comparative age-percentages of the Sixty-third and the Fifty-eighth Congresses.

PERCENTAGE OF SENATORS IN FIVE-YEAR AGE-GROUPS

	30–35	36–40	41–45	46–50	51–55	56–60	61–65	66–70	71–75	76–80	81–85
Senate, 1904..	0	0	8.88	6.66	20.00	16.66	16.66	16.66	8.88	5.55	0
Senate, 1913..	1.04	2.08	11.46	6.25	27.08	15.62	13.54	15.62	5.21	1.04	1.04

The juveniles in the Senate are Luke Lea, Tennessee, aged thirty-four; Morris Sheppard, Texas, aged thirty-eight; and H. F. Ashurst, Arizona, aged thirty-nine; while the Nestor—in years, at least—is Isaac Stephenson, of Wisconsin, aged eighty-four.

Not a few of the biographical sketches give no clue as to the schooling of their subjects, and educational terminology in the United States is so far from standardized that these data are not of much significance. It is of interest to note that sixty-four, or exactly two-thirds, are men trained in college or professional school. West Point and Annapolis are each represented by a graduate; one had been trained in a normal school; nine had finished their schooling in a high-school or academy, while seven—some with obvious pride—state that they have had the advantage only of the common schools, and describe themselves as self-educated.

A military record has often proved of help in politics. The present Senate contains five veterans of the Union army, five of the Confederate army, and five who saw service in the war with Spain. The ravages of time are indicated

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by the contrast between these figures and those of the one hundred and fifty-nine Senators in the five Congresses ending with the Fifty-eighth. Of them, fifty-one, or practically one in three, had seen service in the Civil War.

As to the Senators' occupations or professions, the most striking thing is the preponderance of lawyers; sixty-nine out of the ninety-six declared the law to be their profession, while several others have studied law and been in its active practice at some period in their lives. Next on the list are the farmers and planters, represented by six members. Five journalists—an exceptionally large proportion—are now in the Senate. The list also includes three bankers or brokers, two concerned with mercantile interests, two physicians, one manufacturer, one real-estate broker, one member devoted to "literature," and one "retired." One Western Senator had been for several years superintendent of the State insane asylum.

Some Senators' careers have been so varied that it is difficult to classify them. For example, Senator Ashurst states that he "has pursued the following occupations: lumberjack, cowboy, clerk, and cashier in store, newspaper reporter, hod-carrier, and lawyer." Apparently he might have added, "humorist."

The proportion of lawyers has not increased materially in recent years, but the type has changed. In place of the statesman-lawyer who had received his training in general practice, there now come the legal specialists, for the most part in the field of corporation law—keener critics, it may well be, of the practicability of certain measures, but with a narrowed interest and outlook.

In explaining the power and prestige attained by the United States Senate, as compared with our House of Representatives, and with upper chambers in the legislatures of other countries, publicists have been wont to emphasize the long term, with the probability of re-election, owing to various causes, particularly to the influence which the Senator acquires in State politics as the fount of Federal patronage. We have grown accustomed to think of the Senate as an assemblage of "Conscript Fathers," possessing a dignity, an *esprit de corps,* arising largely from many years of close association in the Senate's work. There readily come to mind many long and notable careers in the Senate, ended within the present generation: J. S. Morrill, thirty-

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one years; G. F. Hoar, twenty-seven years; John Sherman, thirty-two years, and W. B. Allison, thirty-five years. But when the Senate organized for the first session of the present Congress (April, 1913) it was by no means a body of men who had grown old in service together. The dean of the Senate is Jacob H. Gallinger, of New Hampshire, who began his Senatorial service March 4, 1891. His oldest colleagues in point of service are Henry Cabot Lodge, of Massachusetts, and George C. Perkins, of California, who entered the Senate two years later. Only fifteen men in the Senate had served more than two full terms: only twenty-six out of the ninety-six had completed more than six years —*i. e.*, less than twenty-seven per cent. of the members had rounded out the length of a single term. In the present Congress the service of forty-seven of the ninety-six members —practically one-half—dates no further back than March 4, 1911, a period no longer than the term for which a Representative is elected. Twenty-three of them had made their *début* in the Senate since January 1, 1913. In comparison with these figures it is significant to note that when the Fifty-ninth Congress convened in 1905, of its eighty-nine Senators only thirteen were without Senatorial experience; forty-one had served at least one previous term in that body, eleven had been in continuous service in the Senate from ten to fifteen years; seven others from fifteen to twenty years, and five others from twenty-five to thirty-three years.

The Senate is apparently becoming more like the House both in type or personnel, and also in the rate of " rotation " in office. Both changes are doubtless to be traced mainly to the same causes. The contrasts in the development of the Senate and of the House in the matter of continuity of service are indicated by these percentages, taken at an interval of fifteen years.

CONTINUITY OF SERVICE IN SENATE AND HOUSE

Percentage of members who had served

	Senate 10 years	Senate 6 years	House 10 years	House 6 years
1896	32%	47%	8%	18%
1911	21	35	20	38

PREVIOUS SERVICE OF REPRESENTATIVES

	None	One Term	More than One Term
1896	47%	27%	26%
1911	30	16	54

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In the Sixty-second Congress forty-one per cent. of the members of the House had served six or more years in that body, while only thirty-six per cent. of the members of the Senate had served that length of time. As recently as 1903 it was estimated that "the likelihood that a Senator will be re-elected at least once is about two to one, and the average service of a Senator appears to be about twelve years," whereas the average term in the House is "not more than four or five years." The figures in regard to two particular Congresses separated by fifteen years above cited do not warrant positive assertions, but they do afford strong evidence that the Senator's hold upon his seat is becoming more precarious at the very time when constituents are coming to appreciate to a greater degree the increased benefit that accrues to the district and to the public service from longer continuity of service for their members in the House.[1]

What other political experience had the Senators had? The lower branch of Congress often serves as a training-school for the Senate, and most of its members would gladly give ear to a call to enter the upper chamber. Of the present Senate thirty-five members had seen previous service in the House. The extent of such experience is indicated by the following table:

EXPERIENCE OF SENATORS IN HOUSE OF REPRESENTATIVES

Number of terms	1	2	3	4	5	6	7	8	9	10
Senators	5	2	8	4	7	2	3	3	0	1

The men who had served eight terms are Senator Smith of Arizona, Senator Williams of Mississippi, and Senator Burton of Ohio. The veteran of ten terms is Senator Bankhead of Alabama, who was projected into the Senate by the incursion of Commander R. P. Hobson into politics. Three of the present Senators have served in the Cabinet, Senator Root, Secretary of War, 1899 to 1904; Secretary of State, 1905 to 1909; Senator Goff, Secretary of the Navy, 1881; and Senator Hoke Smith, Secretary of the Interior,

[1] This lengthening of service of members of the House is not indicated so clearly in the figures of the present Congress, to which one hundred and forty-nine out of the four hundred and thirty-five Representatives, or thirty-four per cent., came as *débutants*. It is to be remembered, however, that at the election which constituted this Congress a new apportionment went into effect, which raised the membership of the House from three hundred and ninety-one to four hundred and thirty-five. Since forty-four additional seats were to be filled, it was inevitable that the proportion of new members in this Congress should be exceptionally large.

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1893 to 1896. Six have served as Presidential electors, nine as members of Republican or Democratic National Committees, and twenty-six as delegates to party National Conventions. Thirty-six out of the ninety-six make record of their preliminary training for their present position by service in State Legislatures.[1]

Just one in four of the members of the Senate had served as Governors of the States they represent. This is noticeably an increasing proportion, and the change is significant. Of the one hundred and fifty-nine Senators who served in the five Congresses from the Fifty-fourth to the Fifty-eighth, inclusive (1895 to 1905), twenty-eight, or only 17.5 per cent., had been Governors. The list in the present Senate is as follows:

SENATORS WHO HAD BEEN GOVERNORS

SOUTHERN STATES	WESTERN STATES	MIDDLE STATES	NORTH ATLANTIC STATES
Johnston (Ala.).	Perkins (Cal.).	Cummins (Iowa).	McLean (Ct.).
Clarke (Ala.).	Thomas (Col.).	Nelson (Minn.).	Dillingham (Vt.).
Robinson (Ark.).[2]	Shafroth (Col.).	Stone (Mo.).	Page (Vt.).
Smith (Ga.).	Brady (Idaho).	La Follette (Wis.).	
Bradley (Ky.).	Chamberlain (Ore.).		
Smith (Md.).	Crawford (S. D.).		
Vardaman (Miss.).	Warren (Wyo.).		
Tillman (S. C.).			
Swanson (Va.).			
Culberson (Tex.).			

It will be observed that this apparently growing tendency to send Governors to the Senate is very noticeable in the West, and especially in the South. In most of these instances these men made their contest for the Senatorship while still holding office as Governor, and their record in that office served as the basis for their campaign. Several of these contests are of recent, though not in all cases fragrant, memory. On the other hand, the two Senators from Vermont were elected to the Senate a dozen or fifteen years after leaving the Governor's chair, and Senator McLean had

[1] Both of the Senators from Kentucky and also Senator Smith of Michigan received early inspiration for the lawmaker's career while serving as pages in the State Legislature. It may be recalled that the late Senator Gorman of Maryland got his first insight into statecraft as a page in the United States Senate at the tender age of thirteen, and that he continued fourteen years in its employ.

[2] Senator Robinson's service as Governor was not very extended. He was inaugurated January 16, 1913, and elected to the Senate twelve days later.

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been out of the governorship nine years before he entered the Senate.

Twenty years from now will the Senate still be called a "millionaires' Paradise," or "rich mens' club"? Those names have been rather less in use of recent years. No trustworthy data are available as to the "presence of wealth" in the Senate. In these days of the income tax, the label "millionaire" is not conspicuously displayed. In the Senate to-day there are ten or a dozen men whose names used to appear in the press lists of millionaires a few years ago. Since then, wealth has so increased that the public has ceased to be interested in lists of mere millionaires. While a large element of men of great wealth in the Senate would tend to make that body ultra-conservative as to property interests, it is well, for the future as for the present, to remember that in a legislative body the greatest menace comes from those who are there not because they are rich, but because they hope to be rich.

A man's progress in politics may often be aided by the associations which he has formed with other men in lines quite other than political. In not a few cases Senators have doubtless received loyal support from their brethren in the great secret orders. Thus Senator Perkins has been "grand master of the grand lodge, F. & A. M. of California; also grand commander of the grand commandery of the Knights Templar, State of California; he is also a member of the California Commandery of the Military Order of the Loyal Legion." Luke Lea, youngest of the Senators, in his eight-line autobiographical sketch, does not fail to mention that he is "a thirty-second degree Mason." Morris Sheppard, of Texas, lays stress upon his having been four times elected "sovereign banker, or national treasurer, Woodmen of the World, the second largest fraternal insurance order in the United States." But Senator Owen, of Oklahoma, apparently holds the record as a "joiner," with this highly congruous array of memberships: "is an Episcopalian; Mason, 32 degrees; Mystic Shrine; Knight Templar; Α Τ Ω; Φ Β Κ; Elk; Moose (but not "Bull Moose"); M. W. A., etc."

Now that popular election has become the process required by law, how much more responsive to the people's will is the Senate likely to become? In the first place, it is to be remembered that in States where one party has been

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in undisputed ascendancy the real choice had long ago been shifted back from the Legislature to the contest for the party nomination, formerly in the State convention, more recently in the State-wide direct primary. Thus, in most of the Southern States for many years contests in the Legislatures over Senatorial elections have been unknown. It is said that in at least one of the States members of the Legislature were regularly placed under oath to support the candidate who had won the party nomination. In the doubtful States, also, new elective methods had been devised to meet new conditions.

As soon as the Oregon system, which is now familiar to every one and does not need to be gone into in detail, had demonstrated its effectiveness as an agent of popular control over Senatorial elections, other States, in every section of the country, began to adopt some modification of the Oregon method. It was, therefore, no accident that in 1911, when for the first time the popular-election amendment was allowed to come to a vote in the Senate, it failed of adoption by only four votes, and that a few months later the Senate majority in its favor was overwhelming.

No one can read the sketches which the Senators have given of their careers in the *Congressional Directory* without being convinced that the transformation of the Senate which the advocates of this amendment have been trying to effect has already in large measure been realized. More than a third of the Senators, representing States scattered all over the country, set forth with great emphasis the details of their canvass of the State, or of the direct primary, or of the popular vote which was the determining factor in their election.

The fact of the matter is that at least one in three of the present members of the Senate holds his seat by popular mandate practically as direct and authoritative as that which for the future, under the new amendment, is to summon to the Senate the men who will favor "the things that the people love." And from other States, where the machinery of popular control had not yet been developed, nevertheless, to a greater extent than in any previous decade, the majority of Senators have become sensitive to the people's wish. An intelligent forecast of the future will therefore base itself on analysis of tendencies which have been making themselves evident for at least a decade.

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The writer is no new convert to the belief that Senators should be elected by the direct vote of the people. Yet his conviction as to the wisdom of the change effected by the Seventeenth Amendment arose far more from observation of the influence of the legislative election of Senators within the States than from optimistic assurance that the personnel or efficiency of the Senate would be notably improved by popular election. Within the States the election of Senators by the Legislatures has long been productive of serious evils: it has blurred issues for the voter in electing members to the Legislature; it has distracted the legislators' attention from the normal work of lawmaking for their State; it has led to the serious interruption of State business, even to the entire suspension of the lawmaking function in one State for two years; the protracted deadlocks have not only aroused bitter animosities, but have often resulted in depriving the State of a voice in the Senate, or in stampeded elections which bore no resemblance to a judicious choice, or in abundant rumors—too often well-grounded—of bribery and corruption. From these and divers other evils popular election should set us free.

He who, at this stage of American political development, confesses to uncertainty whether the Senate will forthwith be "reformed" by popular election will doubtless bring down upon himself the charge which in recent years has become so fashionable against the framers of the Constitution —that of fearing to "trust the people." Under the new mode of choice we have a right to expect that it will be less easy for certain types of men, who have brought reproach upon the Senate, to secure election to that body. The reactionary, who has heretofore secured re-election largely through the activities of a patronage-favored machine, should disappear. The State "boss" may find the voters at large less docile in his support than have been members of the Legislature whom he has helped to office. A candidate who is obviously backed by a railroad or a "trust" will stand less chance of election than under the old system, but during a six-year term unsuspected fealty to such interests may make itself evident. It is doubtful whether the charge that the Senate is a "rich men's club" will have much less basis in the future than in the past. American voters have shown little hesitation to elect the "merely rich man" to the Governorship or to Congress. One of the

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most conspicuous Senators of this type in recent years had twice been elected Governor of his State before he was sent to the Senate.

It is salutary to reflect that—whatever may have been the defects and abuses which manifested themselves in connection with the legislative election of Senators—it was under that now-derided system, nevertheless, that the Senate did attain its dominance in our national Congress and its pre-eminence among the upper chambers in national Legislatures of the present day.

Are there indications that popular election may impair the Senate's high tradition and prestige? It seems evident that, with the growing directness of responsibility to the people, the type of Senator is undergoing change. While it may prove to be a passing phase, due to blurred party lines, nevertheless Senatorial service is now obviously growing shorter. This involves a loss in experienced statecraft, which in the past has given to the country some of its ablest leaders. The Senators of the present day are younger than their predecessors; they have come to their membership in the foremost legislative body of the world with less of law-making experience than their predecessors had had. Moreover, there seems to be a distinct and psychologically explicable tendency to turn from men wise in council—who have made the reputation of the Senate in the past—to men of the more dramatic executive qualities. An aptitude for getting things done makes a stronger appeal to the voter than a capacity for deliberate—perhaps too deliberate—study of what it is wise to do. Many a Senator, whose work has been most serviceable, has had few gifts that would make him a successful vote-catcher. For the future it is going to be harder for a Senator of manly independence to hold to a course which does not square with the opinion of the day; for his chance of re-election will be largely determined not by whether his acts have been wise, but by whether they have been popular. In our exultation over the prophesied banishment from the Senate of the reactionaries, the "representatives of predatory wealth," and other belated survivals, we have reason for some concern lest our upper chamber is losing something of the distinction of manner, the type of mind, the poise of judgment, which have characterized our foremost Senator-statesmen. In our haste to be rid of the conservative, is there no danger that we shall at

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the same time turn out the conservator? Already certain portentous candidacies have been launched. Almost the first in the field was the notorious Governor of a Southern State, who opened his campaign September 3, 1913, before two thousand cotton-mill operatives, in a characteristic harangue on the charges of drinking and poker-playing which had been made against him, and asked to be sent to the Senate so that in Congress he could carry forward his "fight for the virtue and womanhood of the South." It is easy to dismiss such rant as "full of sound and fury, signifying nothing"; but the ominous fact remains that this man, by his anarchistic utterances, and by his reckless abuse of the pardoning power, was made the chief executive of that proud State by the direct vote of the people. In Massachusetts, less than a year ago, it will be recalled, a mayor and a Congressman who had served a jail sentence for an offense which struck at the very integrity of the public service, were apparently jockeying for their party's candidacy for the Senate. Both of these men, it is to be remembered, held their positions of high responsibility by popular election, based on the direct primary; yet it is doubtful if either of them would have seriously aspired to a seat in the Senate by election of a Massachusetts Legislature controlled by their own party. The Bay State sent Benjamin F. Butler to Congress for repeated terms and made him Governor by popular vote, but her Legislature never sent a man of his type to the Senate. Fortunately, the above-cited cases are exceptional. But let the reader, whose indignation is stirred by any indication of skepticism as to the beneficence of all the results to be expected from popular election, call to mind the candidacies for the Senate already under discussion in his own State, and ask himself how many of them are of the standard which would maintain the prestige and best traditions of the Senate.

The Senate is not to be "reformed"—so far as reform is necessary—by a mere change in the mode of election. There are, it is true, many hopeful aspects of the shift of election from the Legislatures to the people. The people are to be trusted—else is our hope in democracy vain—when they see clearly what is needed. But the qualities which make the sagest councilor and most effective lawmaker are not the most obvious. It is, therefore, a matter of the utmost concern that the requisites for statesman-like Senatorial service

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be thoroughly discussed and the qualifications of willing candidates be critically examined. Eternal vigilance did not cease to be the price of liberty from the moment when the Seventeenth Amendment became a part of the Constitution. That change in our Constitutional law has removed one set of corrupting and degrading influences; in some important respects it has given well-meaning, patriotic voters a better chance to secure and maintain control. But from this change we may expect not gain, but loss, in the personnel and effectiveness of the Senate, if we rest in the belief that the ratification of the new amendment is in itself a final victory. It brings, rather, a challenge to every conscientious voter to use his new power with discrimination and with a sense of the grave responsibility which is now placed directly upon him. To all who through the press or through voluntary associations assume responsibilities in guiding public opinion, it brings a more imperative duty to see that that guidance be not petty and partisan, but enlightened and disinterested.

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THE NOMINATING PRIMARY

BY WILLIAM THOMAS LAPRADE

The direct nominating primary has been adopted in one form or another in many States; and, in view of the President's annual message, there seems to be a probability that an attempt will be made to give it a nation-wide extent in the matter of selecting Presidential candidates. This innovating party device finds such a ready acceptance with progressive statesmen and politicians of the present day that it is with some hesitation one makes bold to take the unpopular side. Nevertheless, when so radical a departure from old customs is proposed, it is worth while to ask several questions concerning the defects in the old device and the soundness and efficacy of the new.

In the first place, let us consider whether the primary is inherently a better device for making nominations and framing party platforms than a convention. A political party is, or ought to be, a group of individuals who are agreed on certain questions which they deem to be of sufficient importance to justify each of them in yielding the idiosyncrasies of his personal opinions in order to support the common views. Before a party can have organic existence and become an efficient fighting unit these common views must be agreed upon and formulated, and a leader must be chosen. The purpose for which a political party exists, then, is to enable its members, even at the cost of compromise on subordinate questions, to agree upon a programme that offers some prospect of being attainable, and to select for united support the candidate who seems most likely to lead to a successful issue in their efforts to put that programme into effect. A nominating convention is presumably composed of representative and experienced men of more than average ability and intelligence. Its mem-

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bers, acting in a representative capacity, meet to consult with each other with a view to ascertaining conditions throughout the extent of the political unit involved. It seems on the surface tolerably certain that such a body of men after consultation, if not so numerous as to be unwieldy or so small as to be unrepresentative, would be much better able to frame a party programme and select a party candidate than would all the members of the party acting together. In the first place, the average citizen, if called upon, would find it difficult to formulate his political creed in a manner that would obtain for it a very wide acceptance. But, were each citizen able to formulate his own views, there is no conceivable political device, other than one based on some form of representation, which would enable a group of citizens sufficiently large to constitute a party to compromise upon views held in common. Yet such a compromise is absolutely necessary if political parties are to exist at all.

The President, in his recommendation of a Presidential primary, avoids this difficulty by suggesting that conventions may still be held to frame party platforms. Even so. But half the task of winning an election consists in finding a candidate who represents in his personal character the spirit of the prevailing views of his party, however imperfectly they may be expressed in the formal party platform. The choice of such a candidate is a matter for mature deliberation, in the light of all the available information, by intelligent, well-informed men, rather than for the uninformed decision of the unthinking mass of voters. There is no better illustration of this point than the case of the President himself. It is now generally agreed that he is the most competent and representative leader of his party who could have been selected. Yet he has to remember that it was not a popular primary, but the Baltimore convention, far from ideal as that body admittedly was for the high functions it exercised, which made him the nominee of his party for the position he now holds. On the other hand, as far as we may judge from the primaries that were actually held, he would have lacked much of becoming the nominee had the method of nomination he now advocates then obtained. It is reasonable, admitting an equality of good intentions, that a select, representative group will be more likely to reach a wise decision than a larger number

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of less well-informed and well-qualified persons. Else of what avail is intelligence and experience? We conclude, therefore, that a representative convention, not too large or too small, would be likely to attain better results than could be reached by all the members of a party acting together under any device which has yet been suggested.

There is another point in favor of the nominating convention. It is composed, after all, of delegates, and the final decision still rests with those for whom they are acting. If the delegates do their work well their candidate and platform merit and ought to have the support of their constituents. But if the constituents feel that a delegate has betrayed their principles, they are free to withdraw temporarily or permanently from the party and to support another candidate who more nearly represents their views. This is the check that makes the delegate a true representative. Moreover, in this way a voter can participate in the party organization and yet retain an essential part of his political independence. The direct nominating primary leaves room for no such wholesome possibility. It is difficult to see why it would not be as justifiable for a citizen in the minority to refuse to accept the measures imposed by a majority of his fellow-citizens in the nation at large as it would for a participant in a primary to refuse to support the nominee chosen by the members of his party voting directly. But, if we admit this principle, there would seem to be little use for an election where all parties are compelled to hold legalized primaries.

Furthermore, if primaries are held where the parties are at all equally supported, it necessarily follows that the official ultimately elected is in a majority of cases the first choice of a minority of the voters. Where three parties of considerable strength exist the official chosen might very well be the choice of a very small proportion of the voters. Let us examine a possible case. According to the apportionment under the census of 1910, there are in the average Congressional District in the United States about forty thousand voters. Let us grant that each of the three political parties has something near the same strength in a district, and that the successful candidate is elected by a plurality of a thousand votes. He would require only fourteen thousand votes all told. Now let us assume that there were three candidates before the primary which selected

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the successful candidate to lead his party, and that the vote in the primary was reasonably close. The winner would require only five thousand votes to give him a plurality of five hundred over his opponents. Thus the man finally selected would be the first choice of only one-eighth of his constituents. Moreover, the chances are that the candidate ultimately selected would represent the group that held together most solidly, regardless of the general sentiment of a majority of the members of the party in the district. This group would probably be composed either of professional politicians and their henchmen or of ultra-radical enthusiasts, since these two classes of voters would be more likely to attend a primary in force than others. Nor is this example an unfair illustration of what would take place in very many cases under a legalized primary. Indeed, should the number of candidates exceed three, the successful nominee might very frequently be the choice of even a smaller minority of the voters.

It cannot be pleaded that the subsequent elections would afford an opportunity for defeating the undesirable nominees of primaries. In the first place, as we noted above, the man who would refuse to support the nominee of a primary in which he had taken part would be a sort of revolutionist or anarchist. Revolutions may be necessary and defensible under exceptional conditions, but it would seem to be ill-advised to adopt deliberately a system of government which would invite and encourage revolution. But the nominee of the opposition party under the primary system would probably not often be of such a character as to win the support of a voter who was displeased at the choice of his own party. There are two political groups that exist to a greater or a less degree in all parties in almost every community, and one of these groups would select the candidate in a party primary in almost every case in which there was opposition. One of these groups is controlled by professional politicans who are primarily seeking to advance their own personal interests in one form or another, and no party has a monopoly of persons of this sort. The other group is composed of individuals who may be termed ultra-radicals, persons who hold views to which the majority of conservative opinion in the community has not yet assented. The first of these groups would always take part in a primary and would usually concentrate its strength on some one

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candidate. This group would naturally have the most efficient organization, since its members would have a greater immediate practical interest in the outcome than any other group. The second group, the radicals, being enthusiasts by nature, would, under ordinary circumstances, be more likely than any other to rival the professional politicians in efficiency of organization and in the positive activity necessary to command support. In a majority of cases one of these two factions would probably select the candidates of all parties; and, in either case, the candidate selected would not correctly represent the views of the unorganized, sane, conservative majority of substantial citizens. The legalized primary, therefore, seems calculated to put the reins of government into the hands either of professional politicians or of advocates of various radical departures from the existing order. In any case, it is a cumbrous device, ill adapted to the task of selecting the most available party candidates and of formulating a programme that would approximate to the consensus of partisan opinion.

The truth is that the nominating primary is a departure from our traditional, representative system of government. If the candidates are to be selected by a direct vote, the platforms ought also to be submitted to a partisan referendum. And in that case it would be illogical not to provide a place for the initiative, as well, in the internal party government. Certainly nobody but the wildest democratic enthusiast would advocate such a scheme. Yet the nominating primary has widespread support, in spite of the fact that the selection of a candidate and the formulation of a platform are equally tasks for competent and experienced hands.

But there must be something wrong with the nominating convention. What are the defects, from the point of view of the supporters of the primary, which make the abandonment of the convention so imperative? Perhaps a consideration of these defects will enable us to understand the favor with which the primary is now received. In the first place, however, it is well to note that the soundness of the theory of the nominating convention is seldom or never disputed. In truth, the reformers are usually so much occupied with the obvious evils which have grown up in the working of the convention system that a fundamental question like this is almost invariably ignored. Since these undeniable evils have arisen, the supporters of the primary reason that the

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convention system itself must be at fault. Instead of seeking a diagnosis of the disease and a remedy for the patient they would have us take the life of the convention system forthwith and substitute the primary, a device which, as we have seen, is not without its shortcomings in theory and which may develop other defects in practice. It would seem to be the part of wisdom at least to give the convention system a hearing before dismissing it in such a summary fashion. It is pertinent, therefore, to inquire into the nature of the defects in the convention which the primary is designed to remedy.

In the first place, it is alleged that under the convention system "bosses" have been able to dominate the parties, to name the candidates, and to frame the platforms. The nominating primary, by restoring the power to the individual members of the party, is to rid the country of "bosses." A "boss," in the parlance of present-day reformers, seems to be a professional politician who exerts himself to control the government of his community in order that he may promote his own private interest. There are usually associated with him a group of henchmen with similar views and aims. This group has a very obvious reason for acting together and a correspondingly stronger reason for compromising minor differences of opinion than have citizens who act from loftier motives. However great a lack of interest the citizens at large may manifest in political questions, the professional politician will share none of this apathy. It is a matter that concerns his daily bread. For that reason he has in the past been willing to spend both time and money in order that he might have influence in nominating conventions. It was by such means he hoped to find reward in the spoils of office. In a like manner, for the same reasons, the "boss" will seek to influence the results of nominating primaries. And the view we have taken of primaries will have to be proved entirely without foundation, or one would have to be more of an optimist than existing political conditions justify to imagine that the boss will not as easily dominate the primary as he has the convention.

We are told, in the second place, that large corporations and men of great wealth have been able to control nominating conventions and thereby to impose on political parties policies that were in the interest of favored business organizations rather than for the advantage of the whole

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people. Doubtless such things have been done many times in the past under the convention system. And these same corporations and men of great wealth, unless in the mean time they experience a change of heart, will quite likely attempt to influence primaries in a similar manner; and he is an optimist indeed who believes that under existing conditions they will not succeed in their undertaking. The necessary money cost may be greater, and the manipulation required may be of a more complicated sort. But if the interest of the business organizations seems to justify the effort it will doubtless be made, and with every prospect of success.

What, then, are the alleged advantages of the nominating primary over the convention? It is not unfair to say that the primary is represented by its advocates as a sort of patent medicine for curing political ills. It is an automatic device for taking political power out of the hands of the financial interests and the professional politicians and restoring it to the people at large. The trouble is that social, like bodily, diseases are seldom benefited by such easy remedies, and the machinery of a self-governing state is not adapted to the use of automatic devices. Granted that the nominating primary is a political device sound in theory, it will not work in practice unless the people develop sufficient interest in public questions to cause them to go to the polls regularly and cast their votes intelligently. Granted the last condition, and there does not seem to be a very good reason why a nominating convention would not work as well or even better than a primary.

After all, the "bosses" and the "interests" have dominated our party conventions in the past for one of two reasons. Either they have represented the wishes of a majority of the people; in which case, according to the principle on which our government is established, they ought to have triumphed. Else they have been able to dominate our politics because a majority of citizens were too busy with their own affairs or too heedless of the welfare of the State to assert their rightful voice in shaping the character of their government. The preponderance of evidence seems to be in favor of the latter view. What we need, therefore, is not a device for rendering the duties of citizenship less onerous. The trouble is not with the "bosses" and the corrupt business organizations, but rather with the respectable citi-

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zens who shirk their duties. The situation demands an awakening of the average citizen to a consciousness of his privileges and powers as well as of his obligations to himself and to the community in which he lives. He needs to learn anew that on his shoulders rest the responsibilities of government. If this class of citizens had sufficient practical patriotism to cause them to attend nominating conventions they could name any candidate and formulate any platform they pleased. Until their conscience is quickened the reins of party government will rest in the hands of those whose interests cause them to lay hold of them. The need is for a political revival and a very practical sort of political education rather than for an automatic device to make self-government easier. The truth is that the movement in behalf of primaries is a disadvantage in solving this fundamental problem of education in as far as the primary is represented as a device calculated to make it more difficult for men with selfish interests to get control of the government. The citizen is to that extent led into a false sense of security and, therefore, takes even less trouble than before about the government of his party.

Now it does not follow from all of this that the nominating convention, as it exists to-day, is not itself an imperfect contrivance or that some of its imperfections may not be remedied. Certainly some of our conventions in the past have been so large that they were unwieldy and, consequently, have not been workable deliberative bodies. This defect has probably arisen from a mistaken effort to make the convention more representative in character by making its membership more numerous. But that is a difficulty easily remedied. It is probable, also, that a better system of selecting delegates to conventions than is now customarily practised could be devised. There is much to be said in favor of electing the delegates to a nominating convention in a definitely prescribed election participated in by the members of the party. The delegate so chosen would represent to a certain degree the prevailing sentiments of a majority of his constituents. However, the sole duty of a delegate so elected would be to attend the convention and consult with his colleagues in an effort to name the most available candidate for his party and to formulate the programme for which it seemed right to stand. This task completed, the work of the delegate would be over, and it would be for his constituents

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as individuals to decide whether it had been well or ill done and to cast their votes accordingly. To vote against the nominee of a convention to which you helped to send a delegate would be quite a different thing from voting against the nominee of a primary in which the candidate you supported for the nomination had been defeated.

But the main point, and the one on which the political reformers of to-day put too little emphasis, is that no political contrivance will insure good government to a self-governed community unless the better class of citizens have sufficient patriotism to cause them to take the trouble necessary in exercising the prerogatives of citizenship.

WILLIAM THOMAS LAPRADE.

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SOME OLD-TIME OLD-WORLD LIBRARIANS

BY THEODORE W. KOCH

MR. HERBERT PUTNAM, in an address before the Ottawa meeting of the American Library Association, expressed a hope for a recognition, a re-cognition, in our library organization of that type which gave personality to the old-time libraries. However indifferent the old-time librarians may have been, or might be to-day, to the mere mechanism in our modern library organization, Mr. Putnam said,

> they succeeded in producing an atmosphere which had a potency of its own. It was that which at once took the visitor out of himself, away from affairs, and gave him touch with a different world, a sense of different values. Does he not miss it now? I think he does; and that, however he may respect the efficiency of the modern librarian as administrator, his really affectionate admiration turns back to the librarian of the old school, whose soul was lifted above mere administration or the method of the moment, or the manner of insistent service, and whose passionate regard was rather for the inside of a book than the outside of a reader—even the librarian to whom a reader seemed indeed but an interruption to an abstraction that was privileged.

The prevailing ideas concerning librarianship have changed so radically within the last generation or two that it may be worth while to study a few types of the old-fashioned librarian. The modern librarian has been so concerned with schemes of classification, card catalogues, and new methods of housing the present-day avalanche of books that he has not had time to familiarize himself with his forebears.

I must resist the temptation to go back to antiquity as a starting-point for our study, and simply allow myself one illustration to show that the ancients knew a good librarian when they saw him. For the library of Pergamos, Eumenes the Second tried to secure the services of Aristophanes of Byzantium, librarian to Ptolemy the Fifth. To assure his

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remaining in Alexandria the librarian was cast in prison, a simple device for keeping an efficient worker when he had a call elsewhere. But in this paper we can concern ourselves only with librarians who have come on to the scene since the invention of printing. In 1475 Pope Sixtus the Fourth made Platina librarian of the newly organized Vatican Library. Platina's account-book has been preserved and published, and from this can be seen the varied nature of his duties. The librarian had to attend to the purchase of books, send out copyists, procure skins for binding, and supervise the making of books as well as their use. He had charge of the reading-room in which the books were chained to the desks, and was allowed discretionary power in the lending of books to high officials of the Church, to scholars, and even to strangers sojourning in Rome. His account-book shows that he looked very carefully after the comfort of the readers, and that he knew the men whom he could trust. Platina and his three pages slept in a room adjoining the library, and they were diligent in the use of juniper in fumigating the rooms, in sweeping the library with brooms, and dusting the books with fox-tails. Montaigne, in the Journal of his travels in Italy in 1581, says that he inspected the Vatican Library without any difficulty. "Indeed," he adds, "any one may visit it and make what extracts he likes; it is open almost every morning. I was taken to every part thereof by a gentleman who invited me to make use of it as often as I might desire." Des Brosses, in his letters on Italy, published at the end of the eighteenth century, in writing of the Vatican Library says that "as Cardinal Quirini, the librarian, is also Bishop of Brescia, he is always away in his diocese. His portrait in the antechamber has to do duty instead." The copyists, he added, are ignorant and dear.

The most picturesque figure in the annals of Italian librarianship is undoubtedly Antonio Magliabecchi. While his official position as librarian to Cosmo III., Grand Duke of Tuscany, gave him considerable prominence, he is remembered more especially for his personal characteristics and his vast store of self-acquired learning. He has been described as a literary glutton, and the most rational of bibliomaniacs, inasmuch as he read everything he bought. His own library consisted of 40,000 books and 10,000 MSS. His house literally overflowed with books; the stairways

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were lined with them, and they even filled the front porch. Many stories are told of his marvelous memory that was "like wax to receive and marble to retain." One of the best known of these stories is that when Cosmo asked him for an extremely rare book he replied, "Signore, there is but one copy of that book in the world; it is in the Grand Signore's library at Constantinople, and is the eleventh book in the second shelf on the right hand as you go in."

In worldly matters Magliabecchi was extremely negligent. He even forgot to draw his salary for over a year. He wore his clothes until they fell from him, and thought it a great waste of time to undress at night, "life being so short and books so plentiful." He welcomed all inquiring scholars, provided they did not disturb him while at work. He had a hearty dislike for the Jesuits. One day in pointing out the Palazzo Riccardi to a stranger he said, "Here the new birth of learning took place," and then turning to the College of Jesuits, "There they have come back to bury it." The Jesuits, on hearing of this, characterized him rather cruelly as "*Est doctor inter bibliothecarios, sed bibliothecarius inter doctores.*" Magliabecchi rejoined with this sally:

> Some say that, after all, his learning is not so great;
> The learned allow him but librarian's state;
> And yet in sober truth it must be said
> All go to him for flour to make their bread.

Unlike some scholarly librarians of the past, ever watchful and jealous of manuscript material, which they themselves planned to edit, Isaac Casaubon, the humanist, was only anxious to read the manuscripts under his charge. For the most part, he was ready to leave the printing to others. Casaubon, too poor to buy books of his own, said of his father-in-law, Henri Estienne, who jealously kept him from gaining access to his books and manuscripts, that he guarded them "as griffins in India do their gold."

When Casaubon visited the library of the learned historian De Thou, of which he had heard so much, he found it far surpassed his expectations, and his heart sank at the thought of the little that he knew. In 1604 Casaubon was appointed sub-librarian in the Royal Library under De Thou, with the title *garde de la librarie du Roi.* His years there were the happiest of his life; his ideal was to read from

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early morning till late at night. In his *Ephemerides*, a diary in which he recited the progress of his studies day by day, there are such entries as: "To-day I got six hours for study. When shall I get my whole day?" And again, "This morning not to my books till seven o'clock or after; alas me! and after that the whole morning lost—nay, the whole day." When he was able to have a whole day for his studies he gratefully recorded the fact in his diary in the words *Hodie vixi.* Frequently the only entry is: "My daily task, thanks be to God!" Not knowing how long he should remain in Paris, he early resolved to read all the books in the Royal Library which he might not be able to find elsewhere. Consequently he did nothing in the way of classifying or cataloguing the material under his charge. When any one asked for a particular book he tried to find it. In 1608, four years after Casaubon entered the library, Hoeschel wrote him, asking whether the library contained any manuscripts of Arrianus. Casaubon replied that he did not know, but would look, and upon searching found two. In reply to Scaliger's request for manuscript fragments of a chronological nature, he says that he will have a thorough search made through all the cases. No wonder that Mark Pattison in his life of Casaubon said that "the librarian who reads is lost."

Casaubon was forcibly reminded that he was the King's librarian, and as such shared the obligations which the court imposed on all its entourage. He was not permitted while librarian to write a critical review of the Annals of Baronius, for fear of offending the Church, and Roman influence was paramount at the French court. When Casaubon visited Oxford he was hospitably entertained, but he succeeded in reserving many hours of each day for his studies in the Bodleian, an over-indulgence for which he paid the penalty during the second week in a sudden sense of dizziness which seized him one day while on his way to the library. "None of the colleges have attracted me so much as the Bodleian, the work rather for a king than for a private man," said Casaubon. He describes his own feelings when he writes Saumaise, who was reveling in the treasures of the Palatine, that he "must be suffering the torment of Tantalus, not being able to read all the books at once."

A younger contemporary of Casaubon, Gabriel Naudé

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by name, was destined to build up for Cardinal Mazarin a library which outstripped the one belonging to the King. In 1642 Naudé was invited to return to his native city of Paris and begin the task of laying the foundations of a new public library. Naudé had previously catalogued the library of Descordes, a Canon of Limoges, who had died, leaving his collection of 6,000 volumes to be sold, and Naudé prevailed upon Mazarin to purchase the entire lot. Then all the bookshops of Paris and all the waste-paper dealers were canvassed for possible treasures. Naudé had been at his task but little more than a year when there was opened in the Mazarin Palace a public library larger than anything that had been seen before in the French capital. The reading-room was open once a week on Thursdays, from eight until eleven and from two until five. Naudé himself counted as many as from eighty to a hundred readers, among whom were such scholars as Hugo Grotius, Aubrey, the historian, and René Moreau, Professor of Medicine at the University of Paris. Before long the number of volumes reached the respectable total of twelve thousand, thus exceeding the royal collection at that time by approximately two thousand volumes. Naudé was still far from satisfied, and undertook a book-hunting journey in Flanders, which brought such good results that in April, 1645, he went to Italy in search of additional volumes. This last trip brought into the library fourteen thousand books. An Italian friend, Vittorio di Rossi, who met him in Rome on this trip, has left an account of Naudé's method of book-buying. According to this writer, Naudé would enter a bookshop with a foot-rule in hand, and without going too much into details about the titles, would ask the bookseller to name a price for certain piles of books. The bookseller, taken aback by this sudden influx of wholesale business, would name a price at random, which Naudé would beat down by degrees, and eventually buy in the books at such a low figure that the bookseller, seeing too late how he had been duped, would regret that he had not sold the lot to a grocer or a butter-man, who would surely have given him a larger sum for so much paper. After a visit from Naudé, the bookshops, says di Rossi, appeared to have been swept by a hurricane rather than visited by a bibliophile, and when one met him with a smile of satisfaction beaming through the dust and cobwebs that covered him, his lean figure

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swelled by the volumes which filled his pockets, one might readily conjecture that he had just come from a particularly satisfactory victory. Naudé claimed that in book-collecting, as in love and war, all means were fair. He was famous for his ability in driving a hard bargain. There is on record, however, one instance of his having been outwitted in the buying of a book, but it will not be laid to his discredit when it is known that the other party to the transaction was a Scotchman.

Perhaps the most extraordinary librarianship was that enjoyed by Diderot, who about 1765 decided to sell his library in order to provide a dowry for his daughter. The Empress Catherine of Russia heard through Grimm of the straits to which Diderot had been reduced, and instructed her agent to buy in the library at the owner's valuation. In this way Diderot received not only sixteen thousand livres, but he was graciously requested to consider himself the librarian of the new purchase at a salary of one thousand livres a year. Moreover—and this begins to sound like a fairy tale—Diderot was paid the salary for fifty years in advance! Needless to say, this was only a pension in disguise. Catherine wrote to Madame du Deffand:

> I should never have expected that the purchase of a library would bring me so many fine compliments; all the world is bepraising me about M. Diderot's library. But now confess, you to whom humanity is indebted for the strong support that you have given to innocence and virtue in the person of Calas, that it would have been cruel and unjust to separate a student from his books!

Lessing may be taken to typify one class of old-fashioned librarians, the men of letters who regarded an appointment to a library position as a sinecure. Installed as librarian of the ducal library at Wolfenbüttel, Lessing took advantage of the privilege of the librarian of his day by substituting the writing of books for the less attractive duty of classifying and cataloguing them. His successor in office, Langer, was very bitter in his criticism of Lessing's administration, claiming that he had left much of his work undone. He even offered a reward to any one who could show him a trace of Lessing's handwriting in the library. To this day the only scrap of it is a note attached to a collection of engravings. Geissler wrote Langer in 1781, saying "that Lessing left you far too much to do was natural, because he was a genius, and this class seldom do their

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duty, but always follow their inclinations." While Lessing was confessedly weak in matters of routine, he was strong where the general welfare of the library was concerned. He proposed a good plan for disposing of duplicates and filling the gaps in the library. It was also specified that " to the mere mechanical duties, the librarian was to attend to just as much or just as little as he pleased. For these he was to have two assistants and a man-servant. His main function would be to investigate thoroughly the library and to bring to light its chief treasures." This last was Lessing's principal concern. " A catalogue of treasures," said he, " is good enough, but it is no new treasure," which is a point hardly conceded by the librarian of to-day who is in the midst of making over an old card catalogue.

So much for the old-fashioned librarian on the Continent. Let us now look at a few of his class in Great Britain and gather some illustrations of early ideas of library management in that country. The Bishop of Worcester in 1464 stipulated that his librarian be a graduate in theology and a good preacher, and in addition he was expected to explain hard passages in the Bible, make lists of books in his keeping, and take an inventory of the library each year on the Friday after the Feast of Relics.

Sir Thomas Bodley, in the first draft of the Statutes which he drew up for the administration of the library founded by him, explicitly states that the keeper shall open and close the library doors at certain hours, varying with the season, and that

> at these prescribed hours he shall cause to be rung the warning bell of his ingress and egress, that men may shun the discommodities of repairing thither oversoon, or abiding there too long, which the difference of clocks may occasion very often, to the prejudice and hindrance of himself as well as others.

The keeper is to see that a register of gifts shall be kept,

> written with a special, fair, and pleasing hand; and withal to be exposed where it may be still in sight, for every man to view, as an eminent and endless token of our thankful acceptation of whatsoever hath been given, and as an excellent inducement for posterity to imitate these former good examples.

The founder ruled that before any graduate or any person of note would be given the privilege of the Bodleian Library he should appear before the Vice-Chancellor or his substitute, and there in the presence of the Library

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Keeper he should take the oath of fidelity to the library, which was to be administered with these words:

> You shall Promise and Swear in the Presence of Almighty God, That whensoever you shall repair to the Publik Library of this University, you will conform yourself to study with Modesty and Silence; and use, both the Books, and everything appertaining to their Furniture, with a careful Respect to their longest Conservation: And that neither your self in Person, nor any other whatsoever, by your Procurement or Privity, shall either openly or underhand, by way of embezzling, changing, razing, defacing, tearing, cutting, noting, interlining, or by voluntary corrupting, blotting, blurring, or any other manner of mangling or misusing, any one or more of the said Books, either wholly or in part, make any Alteration: But shall hinder and impeach, as much as lieth in you, all and every such Offender or Offenders, by detecting their Demeanour unto the Vice-Chancellor, or to his Deputy then in place, within the next Three Days after it shall come to your Knowledge: so help you God by Christ's Merits, according to the Doctrine of His Holy Evangelists.

King James I. was so appreciative of the work of Bodley that he granted letters patent the year after the library was opened, naming the library after the founder, whom he later knighted, and whose name, said he, should have been not Bodley, but Godley.

Richard Bentley was an intellectual prodigy who in early life fell heir to the cloak of librarianship. He coupled with his genius for scholarship a large enthusiasm for the advancement of learning, and with a daring almost insolent he shook off the "clamors of the half-learned who are always noisy against their betters." This ever-pugnacious determination to carry all projects through a maze of falsities is seen even in his career as royal librarian. At thirty-one, already well on the highway of scholarly recognition, he was induced to take the vacant office of King's Librarian. His first step was characteristic. To such good use did he put the few months left before the evaded Licensing Act expired, that the significant record remains that he "exacted near a thousand volumes." Bentley's next step was to endeavor to secure some vacant rooms to relieve the cramped condition of his library at St. James's Palace. The Duke of Marlborough, his neighbor across the hall, with obliging diplomacy, undertook to plead his cause, with the result that the future hero of Blenheim "got the closets for himself." Not disheartened by this perfidy, the young librarian, after declaring that the royal library was "not fit to be seen," started on what Lord Evelyn warmly called his "glorious

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enterprise " of building a new library. The Treasury consented to the proposal, but the bill to Parliament was shelved, owing to the press of public business. In the mean time Bentley took the library's chief treasure, the Alexandrine MS. of the Greek Bible, to his own rooms in St. James's Palace in order that " persons might see it without seeing the library," thereby establishing a new and original precedent in library economy. Out of one incident in his early tenure of office grew a quarrel resulting in several curiosities of literature and one masterpiece of scientific criticism. Dr. Aldrich, the dean of Christ Church, had induced a young Oxford man, the Honorable Charles Boyle, to edit the *Epistles of Phalaris,* and, in preparing his work for the printer, Boyle desired to consult a manuscript in the King's Library. Accordingly he wrote to a bookseller in London, asking him to have some one collate it for him.

When Bentley took charge of the library, in May, 1694, he granted the loan of the manuscript for the purpose, and allowed ample time for the work to be done, but the collator failed to complete his task before the expiration of the time of the loan. The bookseller then very unfairly represented to Boyle that Bentley had acted churlishly in the matter, and Boyle, without verifying the story, said in his preface: " I have also procured a collation as far as epistle No. 40 of a manuscript in the Royal Library; the librarian, with that courtesy which distinguishes him, refused me the further use of it." Bentley happened to see an early presentation copy before the bulk of the edition was issued, and he at once wrote to Boyle, saying that the statement was incorrect, and gave him the true facts. Boyle sent an evasive reply, but let the statement stand as written. While Bentley was urged to refute the slander, he remained silent. " Out of a natural aversion to all quarrels and broils," he wrote, with what later seemed refined irony, " and out of regard to the editor himself, I resolved to take no notice of it, but to let the matter drop." A few years later Bentley reviewed Boyle's work in a way that incited Boyle, with the aid of half a dozen Oxford wits, to publish the book popularly known as *Boyle against Bentley,* in which insults were heaped upon the royal librarian.

In 1699 Bentley was appointed Head Master of Trinity College, Cambridge, and, though still continuing to hold the office of King's Librarian, he removed to Cambridge.

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Here he continued the policy displayed in connection with the Alexandrine manuscript. When Dr. Conyers Middleton became librarian of Trinity College he published a plan for the classification of the books, and took occasion to attack Bentley for retaining some manuscripts, including the precious Codex Bezæ, in his own house. But Bentley was always able to fight his own battles, and he inaugurated, by what his enemies were pleased to call his "insolent erudition," that famous series of bitter college feuds which ended only with the death of their vigorous and valiant instigator. Even the admiring, kindly Pepys was brought to admit that "our friend's learning wants a little filing," while Bishop Stillingfleet was heard to agree that did his friend Richard but possess the "gift of humility he would indeed be the most extraordinary man in Europe."

The name of Bentley brings to mind that of a later classical scholar who was an interesting misfit in the library world of a century ago, Richard Porson. His professorship of Greek at Cambridge paid only forty pounds a year, and so he welcomed the additional appointment of librarian to the newly founded London Institution in 1806, at a salary of two hundred pounds per year, with a suite of apartments thrown in. "I am sincerely rejoiced," wrote Richard Sharp, one of the electors, in notifying Porson of the appointment, "in the prospect of those benefits which the institution is likely to derive from your reputation and talents, and of the comforts which I hope that you will find in your connection with us." To-day the only existing indications of his tenure of office are the acquisition during his time of some Greek and Latin classics, and some manuscript notes in a few volumes in the library. He made no attempt to catalogue the books. The managers of the Institution wrote him to the effect that "they only knew him to be their librarian by seeing his name attached to the receipts for his salary." He reciprocated by characterizing the managers as "mercantile and mean beyond merchandise and meanness." While Porson had three essentials of librarianship—a good memory, a knowledge of books, and imagination, and was always willing to dispense information to such as called upon him for it—yet he was lacking in methodical attention to work. Dr. Parr once remarked that "if the Duke of Brunswick at the head of his Huns and Vandals were to burn every book of every library in Cam-

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bridge, Porson, being as Longinus was said to be, a living library, would make the University hear without books more than they are likely to read with books."

In 1752 David Hume was appointed librarian of the Faculty of Advocates in Edinburgh. Hume described it as "a petty office of forty or fifty guineas a year," and again as a "genteel office." He accepted it because it gave him "the command of a large library." A member of the Faculty was a candidate at the same time, but Hume got the majority of votes. "Then," says Hume, "came the violent cry of Deism, atheism, and skepticism. 'Twas represented that my election would be giving the sanction of the greatest and most learned body in this country to my profane and irreligious principles." The ladies sided with Hume, and one of them broke with her lover because he voted against the philosopher-historian. After he had been in office two years, Hume was censured by three of the curators of the library for buying the *Contes* of La Fontaine, Bussy-Rabutin's *Histoire amoureuse des Gaules,* and Crébillon's *L'écumoire*, deemed indecent and "unworthy of a place in a learned library." The absurdity of the resolution of censure is shown by the fact that these works are now in almost every library which makes any pretension of being classed among the learned. Hume wrote to Lord Advocate Dundas, claiming that in his opinion the impropriety did not matter if it were executed with decency and ingenuity! "Being equally unwilling to lose the use of the books, and to bear an indignity, I retain the office, but have given Blacklock, our blind poet, a bond of annuity for the salary. I have now put it out of these malicious fellows' power to offer me any indignity, while my motive for remaining in this office is so apparent." The assistant librarian, Goodall, who was seldom sober, was busied with his *Vindication* of Mary, Queen of Scots, while Hume was writing his history of England, and the library was left to run itself.

The director of the British Museum formerly had only the title of Principal Librarian, which was, to a certain extent, a misnomer, as he has always had as much to do with the antiquities as with the books. To him is intrusted the custody of the entire museum, his duty being to look after the welfare of the whole institution and to see that the respective duties of the various officers and subordinates are

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properly performed. The Principal Librarian, as housekeeper, had also the nomination of the housemaids, until the doubtful privilege passed, in Sir Henry Ellis's day, to the principal trustees.

The head of each department is called its "Keeper," and in most departments there is also an Assistant Keeper. These titles are reminiscent of the prime duty of the old-time librarian. One of them once consulted the trustees on the question of the acceptance by the Museum of a certain anti-Christian manuscript by a learned Jew — which he argued would not be pernicious, as the ignorant would not read it, and the souls of the learned were of little importance.

Dr. Templeman, the first superintendent of the Reading Room, seems to have found his duties rather onerous. After occupying the position eight months he asks to be relieved from what he considers the excessive attendance of six hours each day, as this "is more than he is able to bear." Under date of March 18, 1760, it is recorded that "last Tuesday, no company coming to the reading-room, Dr. Templeman ventured to go away about two o'clock." Twenty readers per month during the first few months was a high average, and after the novelty had worn off the average dropped to ten or twelve.

The early librarians at the British Museum were little more than guides appointed to show visitors around the institution. In 1802, three attendants were appointed to relieve the "Under and Assistant Librarians from the daily duty of showing the Museum," and they were given an increase in pay. As late as 1837 no less a person than the Rev. Henry Francis Cary, Keeper of Printed Books, gave poor health as an argument for his promotion to the Principal Librarianship, which, as he said, would give him less to do.

Sir Henry Ellis, when he was Principal Librarian, defended the closing of the Museum for three weeks each autumn, and argued that if that were not done the place would become "unwholesome," and that to open it during the Easter holidays would be dangerous, as "the most mischievous portion of the population is abroad and about at such a time." He further argued for the closing of the institution on public holidays, on the ground that "people of a higher grade would hardly wish to come to the Museum at the same time with sailors from the dockyards and the

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girls whom they might bring with them." From this it can be clearly seen that he was not in touch with the growing liberality in the administration of public institutions and the influx of democratic ideas.

In the opinion of many, modern librarianship begins with Sir Anthony Panizzi's administration of the British Museum. An Italian carbonaro, under indictment for the publication of a pamphlet attacking the judicial system of Modena, he escaped to London, where, in 1831, he had an opportunity to enter the service of the Museum. The administration was then at its lowest ebb. The Elgin marbles and the King's Library had just been acquired, but the régime was antiquated and the policy very narrow. Panizzi was put to work at cataloguing the pamphlets in the King's Library. Owing to dissatisfaction with the progress of the subject catalogue, the trustees, in 1834, outlined a plan for an alphabetical catalogue. The plan was an unsatisfactory one, but Panizzi was put in charge of the work. As he did more work than any two of his colleagues, the trustees raised his salary, and when there was an investigation of the administration of the British Museum it was Panizzi who contributed the most important evidence. Valuable reforms were introduced, and Panizzi became Keeper of Printed Books in 1837. This appointment brought out a certain British anti-foreign prejudice against Panizzi which pursued him throughout his official career. There were meetings held to arouse sentiment against the promotion of this "foreigner," and a speaker on one of these occasions made an open statement that Panizzi had been seen on the streets of London selling white mice! At the time of his appointment, the collections were just being removed from Montague House to the new quarters, serious attempts were being made to fill the gaps in the collections, and the catalogue was being attacked in real earnest. The transfer of the collection was accomplished with remarkable expedition, but the progress of the catalogue was less satisfactory. The responsibility for accepting or rejecting the supervision of this work was left by the trustees to Panizzi, and with his usual courage he decided to undertake the task. With the assistance of Jones, Watts, and others, he framed a set of catalogue rules which in many respects have never been superseded. An insufficient staff and an unfortunate decision of the trustees (overruling Panizzi's advice) to pro-

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ceed in strict alphabetical order, occasioned a good deal of trouble and criticism. The attempt to print one portion of the catalogue while another part was in preparation, before it had been definitely decided as to what the main entry for many items would be, was responsible for the breakdown of the scheme. After the publication of one volume in 1841, the decision to print the catalogue was abandoned, and Panizzi persuaded the trustees to engage an efficient staff of transcribers to copy the titles on slips, and he was thus enabled to put before the public a plan for a comprehensive catalogue. He failed to see the advantage of a printed catalogue over the slip catalogue, and was more concerned in supplying the deficiencies of the library, a task in which he had no rivals. By submitting a list of the needs in nearly every branch of literature, he procured, in 1845, an annual grant of ten thousand pounds, and through the judicious administration of this fund the Museum rose in rank from the sixth or seventh to the second, if not the first, place among the libraries of the world. In 1848 dissatisfaction with conditions in the Museum, due to lack of space, was so great that a royal commission of inquiry was instituted, and as a result of Panizzi's success, the administration of the Museum was put into his hands.

In temperament Panizzi was strong and masterful, but his nature was warm and generous. "He governed his library as his friend Cavour governed his country," said Dr. Garnett, "perfecting its internal organization with one hand while he extended its frontiers with the other." When traveling abroad he always rushed to visit the chief libraries first. At Bologna he found a manuscript catalogue so carefully made that he at once asked whose work it was, and when told that it had all been done by one man who had written every title with his own hand, Panizzi insisted upon seeing him. A tall, thin-faced, threadbare individual appeared whom Panizzi plied with questions, and then, to the astonishment of the attendants, Panizzi in an outburst of Italian enthusiasm hugged and kissed the timid cataloguer on both cheeks.

Panizzi was one of the most conscientious of officials and was rarely absent from his post. Sydney Smith wrote him several times inviting him to dinner on a certain date. "Receiving no answer," the wit wrote later, "I concluded you were dead, and I invited your executors. News, how-

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ever, came that you were out of town. I should as soon have thought of St. Paul's or the Monument being out of town, but as it was positively asserted, I have filled up your place."

Next to Panizzi, the most attractive personality in the annals of the British Museum, to us at least, is Richard Garnett. Like another native of Lichfield, Dr. Samuel Johnson, Garnett will be remembered more for what he was than for what he wrote. To carry the comparison still further, both were interpreters and left volumes of critical biography, both were poets of no mean order, both were story-tellers and entertainers of repute, famed alike for their friendships, their love of learning, and their erudition. While Dr. Johnson's most enduring monument is his famous dictionary, Dr. Garnett left behind a printed catalogue of the British Museum containing four and a half million entries, thereby earning the gratitude of scholars throughout the world. The British public never quite forgave Panizzi for claiming that a printed catalogue of their national library was too big a task to undertake.

Richard Garnett may be said to have spent his whole life in the British Museum. His father was an assistant keeper, and at the age of sixteen the young man was made an assistant in the Printed Book Department. Promotions came rapidly until in 1875 he was made Assistant Keeper and superintendent of the reading-room. Garnett's work as "placer" or classifier, combined with his rare memory, gave him a remarkable command of the resources of the library. There seemed to be nothing that he had not read and few subjects that he had not studied intimately. Few men of his time knew both the inside and outside of books as he did. Whatever the subject, he gave the impression that his knowledge of it was fresh and waiting for use. Only one fall from grace is recorded. Mrs. Garnett had brought home, after a country holiday, what she believed to be a squirrel's nest which she placed on the drawing-room table to show her friends. A dispute arose as to whether squirrels made nests. Mrs. Garnett appealed to her husband. "Richard, do squirrels build nests?" He hesitated, then replied: "I really do not know; I do not think so. I must look it up."

Dr. Garnett was so endowed with a sense of good humor that he was never perturbed by the chronic fussers who frequented the place. A blank-book in which the public can

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jot down suggestions for the improvement of the service or of titles recommended for purchase has for years been found to ease the public mind. The authorities make a practice of entering in the margin a reply to each suggestion made. When a reader entered a request that somebody's life of Satan be obtained, the official comment read: "Purchase not thought necessary." Another suggestion was: "Best sixpenny cookery by Josiah Oldfield does not appear in the catalogue, but should, I think, be procured, as it is a useful vegetarian work." This was applied for on December 26th — note the date — and was promptly ordered. There is a class of beings to whom it is a great joy to discover a book title that is not in the British Museum, or, if there, cannot be found for the time being, or is wrongly described, as they think, in the catalogue. "So you see, sir," said Dr. Johnson on an occasion of this kind, "when it was lost it was of immense consequence, and when found it was no matter at all."

Garnett's administration of the reading-room was characterized by a large increase in the number of readers, the placing of special bibliographies in the room to supply as far as possible the want of a subject catalogue, the formation of a second library of reference in the gallery in the reading-room, and the introduction of electric light. The mere mention of electric light shows that we have come down to our own day, and we must take leave of the old-time librarian. Naturally the atmosphere of the modern public library, with its rush and hustle, proved uncongenial to the old-fashioned librarian. The less rapidly changing college and university libraries harbored him much longer, but with modern efficiency tests I suppose that he, too, is to be driven even from that last resort. The following has been suggested as an appropriate epitaph for him:

"He loved his library and his books more than the service of his fellow-men."

Upon the librarian of to-day devolves many problems not dreamed of by his forerunners. But the success of the library and its utility always have been and always must be measured, to quote Lord Goschen, largely by the "affability and competence of the librarian." What is wanted, according to this wise old statesman, is a librarian who will suffer fools gladly and who, when asked foolish questions, will guide the questioners aright. THEODORE W. KOCH.

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THE CLOSING DOOR

BY M. E. CROCKER

I AM apart, and yet, you do not know
That Death has marked me.

Great knowledge have I now, of life, of birth,
Of marvels of the earth I've loved so well;
Of wonders of the sky, the sea, sun's shine,
And how the little flowers have grown and died.
I know all these as you, you cannot know them,
For Death, wise, old, revealing Death,
Most ancient Death, has marked me.

I walk apart, and you—you do not know
How far away from all warm fireside ease
My feet are turned. Fenced by this high black hedge
I hear your voices, clear, and yet removed
As hear the deaf, a faint, a distant sounding.
Ah, it is narrow, cold, and lonely here!
And though to your eyes and your touch I am
Still close and present, yet the shadowed wall,
Invisible to you, is thick, impervious,
Since Death, Death single-eyed for me,
My Death, has marked me.

So do I walk beside you, still apart.
Hear what I know, more than you ignorant:
I know how all your old loves died, and how
All lovely laughing children went with him;
How all your mothers and your fathers wept
When they, too, felt his hand;—and so
Am well taught how they died, those who of old
Heard warning first, so brief or long as mine.
I know—and am made very free of souls,

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Of all those thronged companion souls who watch
To see how we die, doing well or ill
Before we reach their habitations. All
This wisdom do I learn, apprenticed thus
To their acquitted tasks, their lessons said.
Ah, do you grudge it, plodders? Let me change
With your safe ignorance, who lack my skill!
My teacher's face is very stern and hard,
Grim Death, harsh Master Death
Austerely marks me.

But not yet has he taught me how to say
Farewells that bear no thinking, lest with thought
I scream at the inevitable blade—
He has but granted a release and gift
That sets me free from grievance slight; unscarred
By nettles in the path; aloof and cool
With knowledge that I live but half in life,
Freed from the torments that small wounds once made.

. . . . . .

And yet, it is the little things I've loved
That bring the hot tears to betray my eyes,
To catch my heart, as warmly beating on
And easily, as if it never heard
Its beats were numbered, told.
The thousand daily acts and plans, that turn
And look at me, and say—No, nevermore.
It is the sudden stopping thought that falls
As this—that shuts the year's door in my face
To leave me standing, cold, forlorn, without
Belovèd gates, where gardens wide shall hold
Their tall sword leaves of iris, mounting guard
O'er royal standards, where lost Rhine-gold gleams,
And the court purple's velvet tempts my touch,
And I—shall be away! Where blooms the soul
Of April's beauty, streams the heart's eye sees
Where pure white moonshine on the greensward flows—
Narcissus pouring scented loveliness
From lavish blossoms to the spring's white night;
Or daffodils' rich caskets filled to brim
With sunlight, warming to a living glow
The cold north pathside with a June-time gold.

. . . . . .

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Oh, where shall I see these! On what wide fields
Shall I, O snatching Death, be set to till!
In what way shall I find the tender souls
Of all belovèd flowers blooming there!
They—they have learned and found
Their resurrection yearly—I learn now
My burial with their brown hearts comes too.
Shall there come resurrection in a flower
Flaming a soul of beauty? I will learn,
I can go down with him, my Death—and yet,
How can I learn what comes, what comes—again!
O mighty shrouded Death, tell me but this,
What comes, since you—you, dark, and very still,
Most silent gardener Death,
Have marked me!

M. E. Crocker.

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THE NEW PARENTS' ASSISTANT

BY STEPHEN PAGET, F.R.C.S.

I

A LITTLE BRIEF AUTHORITY

All of us know what it is to have to keep up appearances: how it ages man and wife, and cuts into the mutual society, help, and comfort that the one ought to have of the other. It is a most obstinate skeleton, hiding in every cupboard, present at every feast. Our motives to friendship, our choice of a neighborhood, our enjoyment of holidays—all of them are perverted from their proper lines. There are growing-pains and there are labor pains; but the pains which we take to keep up appearances bring nothing much either to growth or to birth. Yet they are so strong, these pains, that if they could be turned to mechanical force they would suffice to move the Admiralty Arch out of London. It is true that the keeping up of appearances accustoms us to endurance and alertness: it gives us ingenuity; but we are longing, all the time, for some reduction of armaments between those two great friendly powers, the neighbors and ourselves. We desire not more Dreadnoughts, but an Ark: a quiet family Ark, with six bedrooms, dressing-room, and good bathroom, moderate rent, and a lease terminable with the emergence of Ararat. And, I think, there is some evidence that appearances are becoming less urgent, less compulsory. The raven came back; the dove came back twice, and is gone again; not a sign of the glint of her wings; and the sky promises fair. We are beginning to be less afraid of what people will say: we venture to drop this or that conventional habit, and nobody is offended: we plan our leisure on unexplored ways, and have no fear that we are trespassing. Any old Londoner can recall the time when lives as fine as ours, and finer, were subject to a more strict rule of appearances than that which is laid on us.

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But my theme is the keeping up of appearances, not in society, but at home. Society can look after itself; but home—

> There, where I have garnered up my heart,
> Where either I must live, or bear no life—

we must not leave home to look after itself. If we would play the fool, let us do it in society; which will not mind if we do, but will just open its mouth and swallow up little Korah, Dathan, and Abiram. Let us not play the fool in our own house; for the children will mind if we do; and they notice everything. The disregard of social appearances may be justified: the disregard of domestic appearances is a more serious offense.

For the keeping up of appearances before the children, we must take into account, first, their opinion of our conduct in their presence. Next, their insight into our dealings with the servants—on whose side, mostly, they are; and that, in many cases, with justice. Next, their verdict on the books we read, the plays we admire, the level of our talk, and the range of our Sundays. Last, their sharp sense, when either of us is cross with the other. It was over a dead child's grave, in the poem, that "we kissed again with tears": it is dreadful to "fall out, my wife and I," if the living children hear us. Nothing could be worse for them. And I consign to perdition, along with tiffs—a properly ugly word—all snaps and snarls, such as "Don't tell me what your mother said," and "Well, you know what your father is." In these pungent homes, the children, up-stairs, make the golliwog and the teddy-bear fall out, they know not why, and kiss again with tears, at the expense of the Fifth Commandment.

It follows that the children like to see us clean and neat, and of blameless manners at the table, noiseless over our food, and careful not to spill. That we must show sympathy and courtesy to the servants, lest the children should apologize to them for us, saying that we did not really mean it, and they hope it will not happen again. Then we set their teeth on edge if we eat sour grapes, calling them our taste. That they feel our jarring voices as we feel the east wind, or the smell from Crosse and Blackwells on a raspberry-vinegar day. All these abandonments of appearances, they are quick to note and to censure; or, what is worse, to imitate.

Like a moth round a lamp—and I wish that some man or

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woman of science would tell me why moths fly at lights—I have been circling round the subject which attracted me. Of all domestic appearances, we most jealously guard the appearance of our authority. We claim authority over our children: we fear to lose it: we call on them to recognize it. Yet, in that Parent's Catechism which will some day be written, there is the question, "My good parent, what meanest thou by this word?" And the answer is difficult.

But the difficulty, mostly, is of our own making: we have not given thought to the meaning of the word. We have contented ourselves with a vague notion that our parental authority is a natural product; that we get it, ready-made, by merely having children; that we possess it, as we possess bodily organs and worldly goods; that our power over the children is founded and built on the bare fact that here the children are, just as a man's digestive power is founded and built on the bare fact that here his insides are. And this notion of our authority as a natural product, developed in all of us alike, is not only vague, but downright false. It appeals to Nature: therefore, unto Nature it shall go, and hear what she has to say to it.

The further I trace back, in Nature, the power of parents over their children, the less I like what she tells me. For I find the whole business tainted with savagery—"Oh Jephthah, Judge of Israel, what a daughter hadst thou"—I trace it back to the power of brutes over their young, and to worse than that. At the end of the track of my thoughts, if they can be called thoughts, I see Moloch, Juggernaut, Chronos devouring Zeus, and cats devouring their kittens. So much for the origins or development of parental authority in Nature. But why should we be scared by the origins of ourselves? For we are not origins, but results. The origins all left off before we began; they had to, or we never could have begun. As Mr. Balfour says of the origins of music, in that magnificent second chapter of *The Foundations of Belief*—"How does the fact that our ancestors liked the tom-tom account for our liking the Ninth Symphony?" If my ancestors—I take Mr. Balfour's word for it—did like the tom-tom, I am not surprised that they had to come to an end before I could begin to begin. So it is with all origins: the more we inquire of them, the less we admire them: it is not origins that explain results, it is results that explain origins. Let us limit our inquiry to here and now.

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What do we believe, touching our authority over the children, really believe, in our hearts, you and I, my dear? What do we really believe, when we sit together of an evening, and think it over, when the children are asleep? Take what happened only to-day. Boanerges—he is named after his godfather, not me—was extremely difficult, all to-day; we had to be very determined with him: we had to assert our authority. We pulled that cracker, and the noise of it silenced him; and we are left, man and wife, each with one end of a spent cracker. Was it, or was it not, the best way to manage him?

Surely it was, with a child so young as that. But they soon outgrow and resent all such explosive displays, and are stimulated to resistance by our efforts to be irresistible: for they detect in us, or imagine that they detect, ill-judged and intemperate and theatrical behavior. The older they are, the more careful we must be to avoid a masterful high-handed course of action, with scenes, and what are called *strong curtains*. We do them wrong, being so majestical, to offer them the show of violence. Such methods, long ago, kept the Fairchild Family straighter than straight; but the families of this generation are made of other stuff. Indeed, as things are now, Mr. Fairchild might find himself watched by the Society for the Prevention of Cruelty to Children. His methods remind me of the story of the Siege of Jericho: how the insistent procession, ultimate and fearsome, bringing the Irresistible along with it, went round and round, till the walls themselves could not stand any more. No wise parent now would thus besiege his children, nor would they thus be captured: they would hardly trouble to look over the edge of their walls; they would merely say, "Oh, of course; Father, as usual." Or they would come forth out of the city, with hosts of arguments, and give battle, and their parents be defeated, in the very presence of the Irresistible.

Against the risk of such disaster, each of us ought to know what right we have to our rights, what authority for our authority. We get no help here from Nature. The primal origins of our authority are hopelessly disreputable; and the nearer past has nothing to tell us, save that everything is always changing. From generation to generation the standard is shifted, the rule is modified. Again and again the sum has been done, and the answer each time has come different. *Iuis custodiet custodes.* Take a dozen

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homes, to-day: parental authority is enforced in one, disdained in another. The modern stage, mostly, displays the authoritative parent as a hard-willed fool: Sir Anthony Absolute enslaved to chapel-going, old Capulet run to seed, and Lear, no longer tragic, refusing to his daughter not a kingdom, but a latch-key. Only, Heaven be praised, there was *Milestones*: it had insight, it had distinction. It will need a new act, of course, every thirty years; and I know some good critics who, at the fall of the curtain, planned one, then and there, in a restaurant over the way. Still, to my thinking, the play ends well where it ends now, with the death of old Authority, after a wearisome period of slowly failing strength. Nothing is here for tears: death came so quietly, at the last, hand in hand with honor and with love. *Le Roi est mort.* But the children, none the less, are in need of us. For they are fond of loyalty, they fear and hate anarchy. They desire a king, some sort of a king: they are waiting outside the darkened palace to cry *Vive le Roi*: and we must not keep them waiting. Somebody must be at the head of their affairs, if it be only to earn the money and have charge of the household. And, after all, there is nobody, my dear, but you and I. Not even the most emancipated child can suggest an alternative scheme. We have no power to lay down the cares of state; parental authority may be a thing of the past, but parents are not. It is impossible to doubt that you and I are still expected, if not to govern, yet to reign. Come, your hand; strike up, trumpets and drums; let us at once assume our thrones:—

> Here you see the monarch sit,
> With his consort opposite—

For we ought always to try to do what the children want, so long as it is nothing which can do them any real harm.

But we must adapt ourselves, carefully, to the new order. We are king and queen under this proviso, that we make no unconstitutional use of our royal supremacy, consult our advisers, and commit no tyrannical act. Amen, so be it. Now let us examine, with purged vision, the purpose and the workings of parental authority, new style. But please let us mind our own business, and leave the neighbors out of the question; for there is plenty to learn in *this toy kingdom of ours,* without going outside. Also, let us forget those

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occasions when your authority and mine have been at variance:—

> And while Papa said "Pooh, she may,"
> Mama said, "No, she sha'n't."

For it is facts that we want, not casuistry. And I say that parental authority is not a free or unconditional grant or subsidy from Heaven. We get it not all at once, but by instalments; we are paid, not for having children, but for looking after them; there is no covenant between Heaven and us, only a general understanding that we may hope to receive what we have earned, but must earn something before we receive anything.

Mark how we set to work; observe the initial ways of a mother with a baby. There are two words—"Naughty Baby"—which mothers of large families may well be tired of saying. These are the first words of parental authority; and all our later exercises of authority are nothing more than variations on this theme. The earliest use of these words is to teach the baby to keep itself clean; that is, when it is about six months old, but not before. His mother's authority over Boanerges, therefore, was born about six months after him. My authority drew its first breath a few weeks later, on the day when he was trying to swallow my watch. Nothing of authority could pass from us to him till he was able, more or less, to attend to the sound of us. For the first few months we were impersonal to him, for he was impermeable to us; we were just like the two sides of his cot, let up to keep him in. Till he was old enough to be naughty, we had no authority over him. She nursed him; I looked at him. So long as he was too young for me to say "Naughty Baby" to him, I was powerless.

Slowly, year by year, with pleasure and pain, success and failure, pride and shame, comes that good understanding between parents and children which we call our authority. It is innumerable acts of parental care and filial acceptance; and so quick is the sequence of them that we get the impression or sense of continuity, as with a film at a picture-palace. We see our authority not as a series, but as a fixture; we talk of it as if it were always there, like a policeman at Oxford Circus. It is just a name for the children trying to be obedient to us and us trying to be wise with them. We cannot lock it up, as if it were the check-book; nor send it to the Bank, during our holiday, as if it were the silver tea-set; nor

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flourish it all of a sudden, as if it were the poker, and the children were a noise in the basement. It is nothing that we have, it is only what we are. It is ourselves feeling our way to the children, and they to us.

Truly, here is a kingdom to be proud of. What can be better for us than to try to be good? What more suitable gift could Heaven devise for us parents? But we must be always deserving it, or it will stop coming. It is not handed to us, once and for all, across Heaven's counter, along with a baby, like a sugar-basin with a pound of tea. *Mancipio nulli datur, omnibus usu.* As with all other gifts, so with this gift of authority, the only hold that we have on it is the use that we make of it. That is the rule under which we get our gifts; and quite right, too.

It follows that we are at any rate as safe on our thrones as we are anywhere else. We must play no fantastic tricks before high Heaven. None the less, we are king and queen *Dei gratiâ;* that is, on this divine condition that we keep on trying to do the best thing for the children. So long as we are thus employed, we are in authority over them.

I wrote *Dei gratiâ;* and it occurred to me to turn out the coins which were in my pocket, that I might assure myself of the accompanying words, *Defensor Fidei.* Penny, sixpence, shilling, florin—they all implied to me that they who reign by the Grace of God are thereby bound to be Defenders of the Faith. I put the four coins on the mantelpiece, in a row, and looked hard at them; but I could not stare them out of countenance, nor make them change their opinion. They were unanimously agreed that parents, to be deserving of authority, ought to defend the faith of their children. This resolution was sent up to me from the mantelpiece; and it shall receive my serious consideration.

(To be Continued)

STEPHEN PAGET.

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THE GENIUS OF JOSEPH CONRAD

BY JAMES HUNEKER

I

In these piping days when fiction plays the handmaid or prophet to various propaganda; when the majority of writers are trying to prove something, or acting as vendors of some new-fangled social nostrums; when the insistent drums of the Great God Réclame are bruising human tympani, the figure of Joseph Conrad stands solitary among English novelists as the ideal of a pure and disinterested artist. Amid the clamor of the market-place a book of his is a sea-shell which pressed to the ear echoes the far-away murmur of the sea; always the sea, either as rigid as a mirror under hard, blue skies or shuddering symphonically up some exotic beach. Conrad is a painter doubled by a psychologist; he is the psychologist of the sea—and that is his chief claim to originality, his Peak of Darien. He knows and records its every pulse-beat. His genius has the rich, salty tang of an Elizabethan buccaneer's and the spaciousness of those times. Imagine a Polish sailor who read Flaubert and the English Bible, who bared his head under equatorial large few stars and related his adventures in rhythmic, sonorous, colored prose; imagine a man from a landlocked country who " midway in his mortal life " began writing for the first time and in an alien tongue, and, added to an almost abnormal power of description, possessed the art of laying bare the human soul, not after the meticulous manner of the modern Paul Prys of psychology, but following the larger method of Flaubert, who believed that actions should translate character—imagine these paradoxes and you have partly imagined Joseph Conrad, who has so finely said that " imagination, and not invention, is the supreme master of art as of life."

He has taken the sea-romance, which in the hands of

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Smollett, Marryat, Melville, Dana, Clark Russell, Stevenson, Becke, Kipling—in his extraordinary *The Island of Dr. Moreau*—and to its well-worn situations has added not only many novel nuances, but invaded new territory, revealed the obscure atavisms and the psychology lurking behind the mask of the savage, and shown us a world of "kings, demagogues, priests, charlatans, dukes, giraffes, cabinet ministers, bricklayers, apostles, ants, scientists, Kaffirs, soldiers, sailors, elephants, lawyers, dandies, microbes, and constellations of a universe whose amazing spectacle is a moral end in itself." In his *Reminiscences* Mr. Conrad has told us, with the surface frankness of a Pole, the genesis of his literary career, of *Almayer's Folly,* his first novel, and in a quite casual fashion throws fresh light on that somewhat enigmatic character—reminding me in the juxtaposition of his newer psychologic procedure and the simple old tale, of Wagner's Venusberg ballet, scored after he had composed "Tristan und Isolde." But, like certain other great Slavic writers, Conrad has only given us a tantalizing peep into his mental workshop. We rise after finishing the *Reminiscences* realizing that we have read once more romance, in whose half-lights and modest evasions we catch fleeting glimpses of reality. Reticence is a distinctive quality of this author; after all, isn't truth an idea that traverses a temperament? Safer it would be to apply to him the epigraph of Huysmans' "Marthe": "I set down what I see, what I feel, what I have lived, writing as well as I am able, *et voilà tout!*"

That many of his stories were in the best sense "lived" there can be no doubt—he has at odd times confessed it, confessions painfully wrung from him, as he is no friend of the interviewer. The white-hot sharpness of the impressions which he has projected upon paper recalls Henri Taine's dictum: "*les sensations sont des hallucinations vraies.*" Veritable hallucinations are the seascapes and landscapes in the South Sea stories, veritable hallucinations are the quotidian gestures and speech of his anarchists and souls sailing on the winds of noble and sinister passions. For Conrad is on one side an implacable realist. . . . Unforgetable are his delineations of sudden little rivers never charted and their shallow, turbid waters, the somber flux of immemorial forests under the crescent cone of night, and undergrowth overlapping the banks, the tragic chaos of

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rising storms, hordes of clouds, sailing low on the horizon, the silhouettes of lazy, majestic mountains, the lugubrious magic of the tropical night, the mysterious drums of the natives, and the darkness that one can taste, smell, feel. What a gulf of incertitudes for white men is evoked for us in vivid, concrete terms. Unforgetable, too, the hallucinated actions of the student Razumov the night Victor Haldin, after launching the fatal bomb, seeks his room, his assistance, in that masterpiece, *Under Western Eyes*. But realist as Conrad is, he is also a poet who knows, as he says himself, that "the power of sound has always been greater than the power of sense." (Reason is a poor halter with which to lead mankind to drink at the well of truth.) He woos the ear with his singing prose as he ravishes the eye with his pictures. In his little-known study of Henry James he wrote: "All creative art is magic, is evocation of the unseen in forms persuasive, enlightening, familiar, and surprising," and finally, "Fiction is history, human history, or it is nothing." Often a writer tells us more of himself in criticizing a fellow-craftsman than in any formal esthetic pronunciamento. We soon find out the likes and dislikes of Mr. Conrad in this particular essay, and also what might be described as the kelson of his workaday philosophy: "All adventure, all love, every success, is resumed in the supreme energy of [an act] renunciation. It is the utmost limit of our power." No wonder his tutor, half in anger, half in sorrow, exclaimed: "You are an incorrigible, hapless Don Quixote."

I suppose a long list could be made of foreigners who have mastered the English language and written it with ease and elegance, yet I cannot recall one who has so completely absorbed our native idioms, who has made for himself an English soul (without losing his super-subtle Slavic soul), as has Joseph Conrad. He is unique as stylist. He first read English literature in Polish translations, then in the original; he read not only the Bible and Shakespeare, but Dickens, Fenimore Cooper, and Thackeray; above all, Dickens. He followed no regular course, just as he belongs to no school in art, except the school of humanity; for him there are no types, only humans. (He detests formulas and movements.) His sensibility, all Slavic, was stimulated by Dickens, who is the true creator of the so-called "Russian pity" which fairly honeycombs the works of Dostoïevsky.

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There is no mistaking the influence of the English Bible on Conrad's prose style. He is saturated with its puissant, elemental rhythms, and his prose has its surge and undertow. That is why his is never a "painted ship on a painted ocean"; by the miracle of his art his water is billowy and undulating, his air quivers in the torrid sunshine, and across his skies—skies broken into new, strange patterns — the cloud-masses either float or else drive like a typhoon. His rhythmic sense is akin to Flaubert's, of whom Arthur Symons wrote: "He invents the rhythm of every sentence, he changes his cadence with every mood, or for the convenience of every fact; . . . he has no fixed prose tune." Nor, by the same token, has Conrad. He seldom indulges, as does Théophile Gautier, in the static paragraph. He is ever in modulation. There is ebb and flow in his sentences. A typical paragraph of his shows what might be called the sonata-form: an allegro, andante, and presto. For example, the opening pages of "Karain" in *Tales of Unrest:*

> Sunshine gleams between the lines of those short paragraphs [he is writing of the newspaper accounts of various native risings in the Eastern Archipelago]—sunshine and the glitter of the sea. A strange name wakes up memories; the printed words scent the smoky atmosphere of to-day faintly, with the subtle and penetrating perfume as of land breezes breathing through the starlight of bygone nights; a signal fire gleams like a jewel on the high brow of a somber cliff; great trees, the advanced sentries of immense forests, stand watchful and still over sleeping stretches of open water; a line of white surf thunders on an empty beach, the shallow water foams on the reefs; and green islets scattered through the calm of noonday lie upon the level of a polished sea like a handful of emeralds on a buckler of steel.

There is no mistaking the *coda* of this paragraph, selected at random, beginning at "and"; it suggests the author of *Salammbô,* and it also contains within its fluid walls evocations of sound, odor, bulk, tactile values, the color of life, the wet of the waves, and the whisper of the wind. He has the cult of the cadence. Or, as a contrast, recall the rank ugliness of the night when Razumov visits the hideous tenement, expecting to find there the driver who would carry to freedom the political assassin, Haldin.

II

Invention he has to a plentiful degree, notwithstanding his giving it second place in comparison with imagina-

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tion. His novels are the novels of ideas dear to Balzac, though tinged with romance—a Stendhal of the sea. Gustave Kahn called him *un puissant rêveur,* and might have added, a wonderful spinner of yarns. Such yarns — for men and women and children! At times yarning seemingly for the sake of yarning—true art-for-art, though not in the " precious " sense. From the brilliant glare of the East to the drab dirt of London's mean streets, from the cool, darkened interiors of Malayan warehouses to the snow-covered *allées* of the Russian capital, or the green parks on the Lake of Geneva, he carries us on his magical carpet, and the key is always in true pitch. He never saves up for another book, as Mr. Brownell once said of Henry James, and for him, as for Mr. James, every good story is " both a picture and an idea "; he seeks to interpret " the uncomposed, unrounded look of life with its accidents, its broken rhythms." He gets atmosphere in a phrase; a verbal nuance lifts the cover of some iniquitous or gentle soul. He contrives the illusion of time, and his characters are never at rest; even within the narrow compass of the short story they develop; they grow in evil or wisdom, are always transformed; they think in " character," and an ideality unites his vision with that of his humans. Consider the decomposition of the moral life of Lord Jim and its slow recrudescence; there is a prolonged duel between the will and the intelligence. And the force of fatuity in the case of Almayer—a book which has for me the bloom of youth. Sheer narrative could go no further than in *The Nigger of Narcissus* (" Children of the Sea "), nor interior analysis in " The Return."

What I once wrote of Henry James might be said of Joseph Conrad: " He is exquisitely aware of the presence of others." And this awareness is illustrated in *Under Western Eyes* and *Nostromo*—the latter that astonishing rehabilitation of the humming life on a South American seaboard. For Nostromo nothing is lost save honor; he goes to his death loving insensately; for Razumov his honor endures till the pressure put upon it by his love for Haldin's sister cracks it, and cracks, too, his reason. For once the novelist seems cruel to the pathological point—I mean in the punishment of Razumov by the hideous spy. I hope this does not betray parvitude of viewpoint. I am not thin-skinned, and *Under Western Eyes* is my favorite novel, but

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the closing section is lacerating music for the nerves. And what a chapter!—that thunder-storm driving down the valley of the Rhône, the haggard, haunted face of the Russian student forced, despite his convictions, to become an informer and a supposed anarchist (curious students will find the first hint of the *leitmotiv* of this monumental book in *An Anarchist—A Set of Six;* as Gaspar Ruiz may be looked on as a pendant to Nostromo). But *Under Western Eyes* is a masterpiece of irony, observation, and pity. I once described it as being as powerful as Dostoïevsky and as well written as Turgenieff. The truth is it is Conrad at his best, although I know that I may give offense in seeming to slight the Eastern tales. It has the color and shape and gait of the marvelous stories of Dostoïevsky and Turgenieff—with an absolutely original motive, and more modern. A magical canvas!

Its type of narrative is in the later style of the writer. The events are related by an English teacher of languages in Geneva, based on the diary of Razumov. It is a favorite device of Conrad's, which might be described as, structurally, progressing from the homogeneous to the heterogeneous. His latest novel, *Chance,* is a specific instance of his intricate and elliptical method. Several personages of the story relate in almost fugal manner, the heroine appearing to us in flashes as if reflected by some revolving mirror. It is a difficult and elusive method, but it presents us with many facets of character and is swift and secular. The color is toned down, is more sober than the prose of the Eastern stories. Sometimes he employs the personal pronoun, and with what piquancy as well as poignancy may be noted in the volume *Youth.* This contains three tales, the first, which gives the title-key, has been called the finest short story in English, although it is difficult to discriminate. What could be more thrilling, with a well-nigh supernatural thrill (and the coloring of Baudelairian cruelty and bloodlust) than "The Heart of Darkness," or what more pathetic—a pathos that recalls Balzac's *Père Goriot* and Turgenieff's *A Lear of the Steppe,* withal still more pity-breeding—than "The End of the Tether"? This volume alone will place Conrad among the immortals.

That he must have had a "long foreground" we find after studying the man. Sailing a ship is no sinecure, and for Conrad a ship is something with human attributes. Like

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a woman, it must be lived with to be understood, and it has its ways and whims and has to be petted or humored, as in "The Brute"—that monstrous personification. Like all true artists, Conrad never preaches. His morale is in suffusion, and who runs may read. We recognize his emotional caliber, which is of a dramatic intensity, though never overemphasizing the morbid. Of his intellectual grasp there is no question. He possesses pathos, passion, sincerity, and humor. Wide knowledge of mankind and nature he has, and in the field of moral power we need but ask if he is a Yes-Sayer or a No-Sayer, as the Nietzschians have it. He says Yes! to the universe and of the eternal verities he is cognizant. For him there is no "other side of good and evil." No writers of fiction, save the very greatest, Flaubert, Tolstoy, Dostoïevsky, or Turgenieff, have so exposed the soul of man under the stress of sorrow, passion, anger, or as swimming, a midget, in the immensities of sky, or burrowing, a fugitive, in suffocating virgin forests. The soul and the sea—they are the beloved provinces of this sailor and psychologue. But he also recognizes the relativity of things. The ineluctable vastness and sadness of life oppresses him. In "Karain" we read: "Nothing could happen to him unless what happens to all—failure and death." His heroes are failures, as are heroes in all great poetry and fiction, and their failure is recorded with muffled irony. The fundamental pessimism of the Slavic temperament must be reckoned with. But this pessimism is implied, and life has its large as well as its "little ironies." In *Chance*, which describes the hypertrophy of a dolorous soul, he wrote:

> It was one of those dewy, starry nights, oppressing our spirit, crushing our pride, by the brilliant evidence of the awful loneliness, of the hopeless, obscure magnificence of our globe lost in the splendid revelation of a glittering, soulless universe. . . . Daylight is friendly to man toiling under a sun which warms his heart; and cloudy, soft nights are more kindly to our littleness.

To match that one must go to Thomas Hardy, to the eloquent passage describing the terrors of infinite space in *Two on a Tower*. However, Conrad is not often given to such Hamlet-like moods. The shock and recoil of circumstances, the fatalities of chance, and the vagaries of human conduct intrigue his intention more than the night side of the soul.

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III

It has been said that women do not admire him. This I have never been able to verify, but according to my limited experience I believe the contrary. (Where, indeed, would any novelist be if it were not for women!) He has said of Woman: "She is the active partner in the great adventure of humanity on earth and feels an interest in all its episodes." He does not idealize the sex, as did George Meredith, nor yet does he describe the baseness of the Eternal Simpleton, as do so many French novelists. He is not always complimentary: witness the portrait of Mrs. Fyne in *Chance,* or the mosaic of opinions to be found in that story. That he succeeded better with his men is a commonplace of all masculine writers, not that women always succeed with their sex, but to many masters of imaginative literature woman is usually a poet's evocation, not the creature of flesh and blood and bones, of sense and sentiment, that she is in real life. Conrad opens no new windows in her soul, but he has painted some full-length portraits and made many lifelike sketches, which are inevitable. From the shining presence of his mother, the assemblage of a few traits in his *Reminiscences,* to Flora de Barral in *Chance,* with her self-tortured temperament, you experience that "emotion of recognition" described by Mr. James. You know they live, that some of them go on marching in your memory after the book has been closed. Their actions always end by resembling their ideas. And their ideas are variegated.

In *Under Western Eyes* we encounter the lovely Natalie Haldin, a sister in spirit to Helena, to Lisa, to any one of the Turgenieff heroines. Charm is hers, and a valiant spirit. Her creator has not, thus far, succeeded in bettering her. Only once does he sound a false note. I find her speech a trifle rhetorical after she learns the facts in the case of Razumov (p. 354). Two lines are superfluous at the close of this heart-breaking chapter, and in all the length of the book that is the only flaw I can offer to hungry criticism. The revolutionary group at Geneva—the mysterious and vile Madame de S——, the unhappy slave, Tekla, the much-tried Mrs. Haldin, and the very vital anarchist, surely a portrait *sur le vif,* Sophia Antonovna, are testimonies of the writer's skill and profound divination of the human heart. (He has confessed that for him woman is "a human being, very much like myself.") The dialogue between

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Razumov the spiritual bankrupt and Sophia in the park is one of those character-revealing episodes that are only real when handled by a supreme artist. As an etching of a vicious soul, the Eliza of *Chance* is arresting. We do not learn her last name, but we remember her brutal attack on little Flora, an attack that warped the poor child's nature. Whether the end of the book is justified is apart from my present purpose, which is chiefly exposition, though I feel that Captain Anthony is not tenderly treated. But "there is a Nemesis which overtakes generosity, too, like all the other imprudences of men who dare to be lawless and proud. . . ." And this sailor, the son of the selfish poet, Carleon Anthony, himself sensitive, but unselfish, paid for his considerate treatment of his wife Flora. Only Hardy could have treated the sex question with the same tact as Conrad (as he has done in *Jude the Obscure*). *The Duel* (published in America under the title of *A Point of Honor*) is a *tour de force* in story-telling that would have made envious Balzac. Then there is Winnie Verloc in the *Secret Agent,* and her cockney sentiment and rancors. She is remarkably "realized," and is a pitiful apparition at the close. The detective Verloc, her husband, wavers as a portrait between reality and melodrama. The minor female characters, her mother and the titled lady patron of the apostle Michaelis, are no mere supernumeraries.

The husband and wife in "The Return" are nameless, but hold your interest. The man discovered in his judgment of his foolish wife that "morality is not a method of happiness." Not always. The image in the mirrors in this tale produces a ghastly effect. I enjoyed the amateur anarchist, the English girl playing with bombs in "The Informer"; she is an admirable foil for the brooding bitterness of the ruined Royalist's daughter in that stirring South American tale, "Gaspar Ruiz." Conrad knows this continent of half-baked civilizations; life grows there like rank vegetations. *Nostromo* is the most elaborate and dramatic study of the sort, and a wildly adventurous romance into the bargain. The two women, fascinating Mrs. Gould and the proud, beautiful Antonia Avellanos, are finely contrasted. And what a mob of cut-throats, politicians, and visionaries! "In real revolutions the best characters do not come to the front," which statement holds as good in Paris as in St.

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Petersburg, in New York, or in Mexico. Both *The Nigger of the Narcissus* and *Nostromo* give us the " emotion of multitude."

A genuinely humorous woman is the German skipper's wife in " Falk," and the niece, the heroine who turns the head of the former cannibal of Falk—this an echo, doubtless, from the anecdote of the dog-eating granduncle B—— of the *Reminiscences*—is heroic in her way. Funniest of all is the captain himself. Falk is almost a tragic figure. Amy Foster —in the same volume—is pathetic, and Bessie Carvil, of " To-morrow," might have been signed by Hardy. In *Youth* the old sea-dog's motherly wife is the only woman. As for the impure witch in " The Heart of Darkness," I can only say that she creates a " new shudder." How she appeals to the imagination! The soft-spoken lady, bereft of her hero in this narrative, who lives in Brussels, is a specimen of Conrad's ability to make reverberate in our memory an enchanting personality, and with a few strokes of the brush. We cannot admire the daughter of poor old Captain Whalley in " The End of Tether," but she is the propulsive force of his actions and final tragedy. That particular story will rank with the best in the world's literature. Nina Almayer shows the atavistic " pull " of the soil and opposes finesse to force, while Alice Jacobus in " 'Twixt Land and Sea " (*A Smile of Fortune*) is half-way on the road back to barbarism. But Nina will be happy with her chief. In depicting the slow decadence of character in mixed races and the naïve stammerings at the birth of their souls, Conrad is unapproachable.

His most buoyant and attractive girl is Freya Nelson (or Nielsen) in the volume alluded to; she, however, is pure Caucasian, and more American than European. Her beauty caresses the eye. The story is a good one, though it ends unhappily—another cause for complaint on the part of the sentimentalists who prefer molasses to meat. But this is fiction which is also literature. Conrad will never be coerced into offering his readers sugar-coated tittle-tattle. And at a period when the distaff of fiction is too often in the hands of men the voice of the romantic-realist and poetic ironist, Joseph Conrad sounds a dynamic masculine bass amid the shriller choir. Let us close with the hearty affirmation of Walt Whitman: " Camerado! this is no book, who touches this, touches a man."

JAMES HUNEKER.

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A CONSTRUCTIVE DEPARTMENT OF JUSTICE.—III

1.—UNION PACIFIC-SOUTHERN PACIFIC MERGER CASE

THIS case was decided by the Supreme Court December 2, 1912. It was held (1) that the Union Pacific Railroad Company and the Southern Pacific Company are substantial competitors in interstate transportation, and (2) that the acquisition by the former of a controlling stock interest in the latter created a combination in restraint of trade (226 U. S., 61).

How to dissolve the combination was one of the first problems which the present Administration had to meet. It was insisted for the Government that the dissolution should be effectual, and especially that it should be free from the fundamental defect in the plans adopted in the Standard Oil and Tobacco cases, where the separate parts into which the businesses were divided were left under the control of the same stockholders. Several proposals by the Union Pacific Company were rejected because they did not adequately guard against a similar result. Through conferences between the Attorney-General and counsel for the defendants a plan satisfactory to the Government was finally worked out and submitted to Circuit Judges Sanborn, Hook, and Smith at St. Paul, on June 30, 1913, and by them embodied in a decree. Briefly stated, the plan was as follows:

1. Of the $126,650,000 of Southern Pacific stock held by it, the Union Pacific Company was authorized to sell $38,292,400 to the Pennsylvania Railroad Company in exchange for $42,547,200 of the capital stock of the Baltimore & Ohio Railroad Company. This aided in separating the Southern Pacific from the Union Pacific and at the same time divested the Pennsylvania Railroad Company of a large amount of the capital stock of an active competitor—the Baltimore & Ohio Railroad Company—thereby dissolv-

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ing, without the cost and delay of litigation, another unlawful combination. No new combination in restraint of trade was created by the exchange, since the Pennsylvania and the Southern Pacific Systems are non-competitive, and the same is true of the Union Pacific and the Baltimore & Ohio.

It was recognized, however, that whilst at present no Federal law forbids one railroad company from owning stock in another non-competitive line, Congress may hereafter deem it advisable to change the National policy in that regard. Therefore, in order that any future legislation by Congress on the subject of the holding of stock by one railroad company in another, and also any new interpretation of existing laws, might certainly apply to the holdings which the Pennsylvania Railroad Company and the Union Pacific Railroad Company would acquire by the proposed exchange, the following condition was inserted in the decree on the insistence of the Government:

Provided, however, That neither such approval and leave nor anything contained in this decree shall ever be taken or construed as affecting the obligations, powers, rights or duties under present or future laws of any person or corporation not a party to this cause, nor be taken or construed as an adjudication that any defendant herein has the right to acquire or hold the shares of stocks so sold or exchanged, nor as an exemption of any defendant in respect of such acquisition or holding from the operation of any law now in force or which may hereafter be enacted.

2. After this exchange there was left in the ownership of the Union Pacific $88,357,600 of Southern Pacific stock. This was transferred in trust to the Central Trust Company of New York—an independent institution—which became a party to the suit and completely subject to the direction of the court. The trust company was authorized to issue certificates of interest representing this stock, and these were offered to Union Pacific stockholders. The holder of such a certificate, however, has no right to vote or receive dividends in respect of the stock; but he may convert it into Southern Pacific stock by making affidavit that he owns no Union Pacific stock and is not acting on behalf of any Union Pacific stockholder, or in concert, agreement, or understanding with any one to obtain control of the Southern Pacific Company in the interest of the Union Pacific Company, but in his own behalf and in good faith.

Pending such conversion the trust company was authorized to collect the dividends accruing on the stock, and to

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vote the same only when and as directed by the court. Upon conversion of a certificate of interest into Southern Pacific stock the holder becomes entitled to receive the accumulated dividends. Of course, the purpose in withholding the dividends is to accelerate the distribution of the Southern Pacific stock among persons not Union Pacific stockholders.

If by January 1, 1916, any certificates of interest have not been converted into Southern Pacific stock, the court may order the sale of the Southern Pacific stock represented by such certificates.

The plan effectually prevented the Union Pacific Company or its stockholders who were parties to the combination from continuing in control of the Southern Pacific. The great advantage of the course pursued over a compulsory and immediate sale of the $126,650,000 of Southern Pacific stock is that, whilst as effectually dissolving the combination, it saved the stockholders of both companies from unnecessary losses and avoided the very serious financial strain which such a sale would have entailed.

In actual practice the plan has worked successfully. Up to July 1, 1914, through conversion of the certificates of interest or of subscription receipts issued by the trust company, $81,606,000 of the $88,357,600 of Southern Pacific stock transferred to the trust company by the Union Pacific Company has passed into the hands of persons who made the required affidavits.

Summed up, the plan adopted in this case not only effectually dissolved the particular unlawful combination therein complained of, but also dissolved without further litigation the unlawful combination resulting from the ownership by the Pennsylvania Railroad Company of over $42,000,000 of the capital stock of the Baltimore & Ohio Railroad Company.

The principle established by this decree, namely, that in the dissolution of combinations in restraint of trade the separate parts must not be left in control of the same stockholders, has since been strictly adhered to.

2.—THE TELEPHONE CASE

For a long time there had been persistent complaints made to the Department by the so-called independent telephone companies that the American Telephone and Telegraph Company and its associated companies, commonly known as the Bell System, were attempting to bring under one control

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the means of communication by wire throughout the entire country, not only through the expansion and extension of their own system, but by the acquisition of competing lines, in violation of the Federal Anti-trust Laws. The American Company, indeed, had frankly admitted its purpose in this regard in its annual report for the year ending December 31, 1910, in which it is stated:

> This process of combination will continue until all telephone exchanges and lines will be merged either into one company owning and operating the whole system, or until a number of companies with territories determined by political, business, or geographical conditions, each performing all functions pertaining to local management and operation, will be closely associated under the control of one central organization exercising all the functions of centralized general administration.

The Department investigated these complaints and found that they were not without basis. The Bell System had already so far accomplished its purpose that considerably more than half of all the telephones in the United States were under its control, and it also had acquired through stock ownership practical control of the largest of the two principal telegraph companies of the country.

In July, 1913, a suit was instituted under the Anti-Trust Act at Portland, Oregon, against companies comprising the Bell System and others, charging them with having entered into a combination to monopolize the means of telephonic communication in and between the States of Oregon, Washington, and Idaho. It was alleged that in pursuance of the combination the Bell companies acquired control of the Northwestern Telephone Company, owning competing long-distance lines from Port Angeles, Washington, to Corvalis, Oregon, and of the Interstate Telephone Company, owning competing long-distance lines from Spokane easterly into Northern Idaho, and of the Home Telephone Company of Spokane, owning a competing exchange at that point; and also purchased competing exchanges in Seattle, Tacoma, and Bellingham.

Some time after the institution of this suit the Department was informed that the officers and directors of the Bell System were desirous of bringing its organization and business throughout the country generally into harmony with the Anti-Trust Laws, and to that end conferences were held between officers of the Department of Justice and officers of the Bell System.

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In compliance with the suggestions of the Attorney-General, formulated in the course of these conferences, the Bell System committed itself to the course of action set forth in the letter to the Attorney-General dated December 19, 1913:

First. The American Telephone and Telegraph Company will dispose promptly of its entire holdings of stock of the Western Union Telegraph Company in such way that the control and management of the latter will be entirely independent of the former, and of any other company in the Bell System.

Second. Neither the American Telephone and Telegraph Company nor any other company in the Bell System will hereafter acquire, directly or indirectly, through purchase of its physical property or of its securities or otherwise, dominion or control over any other telephone company owning, controlling, or operating any exchange or line which is or may be operated in competition with any exchange or line included in the Bell System, or which constitutes or may constitute a link or portion of any system so operated or which may be so operated in competition with any exchange or line included in the Bell System.

Provided, however, that where control of the properties or securities of any other telephone company heretofore has been acquired and is now held by or in the interest of any company in the Bell System and no physical union or consolidation has been effected, or where binding obligations for the acquisition of the properties or securities of any other telephone company heretofore have been entered into by or in the interest of any company in the Bell System and no physical union or consolidation has been effected, the question as to the course to be pursued in such cases will be submitted to your Department and to the Interstate Commerce Commission for such advice and directions, if any, as either may think proper to give, due regard being had to public convenience and to the rulings of the local tribunals.

Third. Arrangements will be made promptly under which all other telephone companies may secure for their subscribers toll service over the lines of the companies in the Bell System in the ways and under the conditions following:

(1) Where an independent company desires connection with the toll lines of the Bell System it may secure such connection by supplying standard trunk lines between its exchanges and the toll board of the nearest exchange of the Bell operating company.

(2) When the physical connection has been made by means of standard trunk lines, the employees of the Bell System will make the toll-line connections desired, but in order to render efficient service it will be necessary that the entire toll circuit involved in establishing the connection shall be operated by, and under the control of, the employees of the Bell System.

(3) Under the conditions outlined above, any subscriber of any independent company will be given connection with any subscriber of any company in the Bell System, or with any subscriber of any independent company with which the Bell System is connected, who is served by an exchange which is more than fifty miles distant from the exchange in which the call originates.

(4) The subscribers of the independent company having toll connec-

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tions described above, shall pay for such connections the regular toll charge of the Bell Company, and in addition thereto, except as hereinafter provided, a connection charge of ten cents for each message which originates on its lines and is carried, in whole or in part, over the lines of the Bell System.

The charges incident to such service shall be made by the Bell Company against the independent company whose subscriber makes the call, and such charges shall be accepted by the independent company as legal and just claims.

(5) Under this arrangement the lines of the Bell System shall be used for the entire distance between the two exchanges thus connected, provided the Bell System has lines connecting the two exchanges. Where the Bell System has no such lines, arrangements can be made for connecting the lines of the Bell System with the lines of some independent company in order to make up the circuit, but such connections will not be made where the Bell System has a thorough circuit between the two exchanges.

(6) Any business of the kind commonly known and described as "long lines" business offered for transmission over the lines of the American Telephone and Telegraph Company shall be accepted for any distance, that is, on such "long lines" business calls shall be accepted where the point of destination is less than fifty miles from the exchange where the call originates as well as where the point of destination is greater than fifty miles therefrom.

(7) Any business of the kind commonly known and described as "long lines" business offered for transmission over the lines of the American Telephone and Telegraph Company shall be accepted at the regular toll rate and no connecting charge shall be required. But such calls shall be handled under the same operating rules and conditions as apply to calls over the local toll lines.

The President expressed his approval of the negotiations and of the result.

This mode of stopping the attempt of the Bell System to monopolize all the means of communication by wire met with very general approval.

Of course, the interpretation of the Anti-Trust Act on which was based the action taken by the Department in respect of the Bell System does not mean that where there are two telephone systems in a city or town there never can be a consolidation into a single system. It does mean that where competition has been established in long-distance telephony between points in different States it cannot be destroyed by contract or consolidation. This interpretation leaves local communities generally free to have one telephone system, if they desire, subject to the condition that in the event of a consolidation the consolidated company will make connections with all long-distance interstate lines and thereby preserve competition in interstate communication.

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It should also be kept in mind that the requirement that the American Telephone and Telegraph Company relinquish its control of the Western Union Telegraph Company does not mean that they cannot continue to co-operate where their services are complementary rather than competitive. In other words, the action of the Department, while requiring these two companies to be under separate control and management, so that in so far as they perform like services the public may have the benefit of competition between them, also leaves them entirely free to co-operate for the benefit of the public in so far as their services are complementary.

There was left to be disposed of the before-mentioned suit instituted at Portland, Oregon, against the companies comprising the Bell System for attempting to monopolize the means of telephonic communication in and between the States of Oregon, Washington, and Idaho.

After extended negotiations, the defendants finally consented to the entry of a decree in favor of the Government.

The decree adjudges that the defendants combined to monopolize the means of telephonic communication in and among the States named in violation of the Anti-Trust Act, and forbids them to form any like combination in the future. The Bell companies are ordered to dispose of their holdings in the Northwestern and Interstate companies (the two long-distance companies) and are prohibited from acquiring hereafter any interest in those companies.

The decree further orders the Bell companies to sell their holdings of the stock and bonds of the Home Company of Spokane; but it is provided that if the City of Spokane within three months shall determine it to be in the interest of the people of that city to consolidate the exchanges of the Home Company and of the Bell companies under the control of the latter, application may be made to the court so to modify the decree as to permit that to be done, such modification to be upon condition that the Bell companies open up all their telephones in Spokane to the Interstate Company, operating long-distance lines from Spokane into Idaho, thus giving to the latter an opportunity to do business not only with all the Home Company's subscribers in Spokane, now about 7,000, but also with all those of the Pacific Company, now about 22,000, under conditions that preclude discrimination. In this way the people of Spokane are left free to

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regulate their local telephone system, while the duty of the Federal Government under the law to preserve competition in interstate communication is fully discharged.

The property purchased in Seattle, Tacoma, and Bellingham, having become inseparably commingled with the other property of the Bell companies in those places, is not ordered to be sold, but a plan of connections is adopted which will produce sharper competition in furnishing facilities for interstate telephonic communication than existed before the purchases, or would be brought about by a sale.

This plan gives the patrons of the Northwestern Company the right to interchange communications with the patrons of the Sunset Company in Tacoma, and with the Pacific Company in Seattle, Bellingham, and Portland, thereby permitting the Northwestern Company to do business with all the patrons of the Bell companies in those places on equal terms with its rival, whereas before the purchases the Northwestern Company had access to less than one-third the number it can reach under this plan. Further, it allows the Home Company of Portland access to the Pacific Company's long-distance lines on terms the same as those on which the Pacific Company may use its own long-distance lines.

The decree condemns as unlawful all contracts by which local companies agree to give their long-distance business to the Bell companies exclusively, and prohibits the latter from accepting any benefits thereunder. The right is also reserved to the Government to apply to the court for any additional orders that may be necessary to carry out the decree, and any party may submit to the court any dispute which may arise touching the arrangements provided for in the decree.

3.—THE CASE OF THE METROPOLITAN TOBACCO COMPANY

By dealing with it exclusively and upon preferential terms, the old Tobacco Trust enabled the Metropolitan Tobacco Company to acquire complete control of the jobbing trade in tobacco products in the area between Trenton, New Jersey, on the south, and Stamford, Connecticut, on the north, embracing the entire metropolitan district. The purpose of the Trust was to enable the Metropolitan Company to drive all other jobbers out of business and thereby close

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the avenues of distribution against independent manufacturers of tobacco products.

After the business of the Trust was dissolved as a result of the suit instituted by the Government into substantially four parts, controlled by the American Tobacco Company, the Lorillard Company, the Liggett & Myers Company, and the R. J. Reynolds Company, respectively, these companies continued to sell their products in the metropolitan district exclusively to the Metropolitan Tobacco Company, thereby perpetuating its control of the jobbing trade in that territory.

Complaints were made to the Department in respect of this condition, and the companies were notified that the Department regarded the condition as a violation of the Anti-Trust Laws. As yet no final action has been taken by the Department. However, the mere bringing of the matter to the attention of the companies complained of, with the statement that the Department regarded the condition as an unlawful one, has resulted in each of the four manufacturing companies agreeing to sell their products to all jobbers in the metropolitan district upon the same terms that they sell to the Metropolitan Company.

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THE BOOK OF THE MONTH[1]

BY F. M. COLBY

THE last decade of the nineteenth century, according to Mr. Holbrook Jackson, was a period of renascence, marked by a quickening of the imagination, an eager search for novelty, and the destruction of old ideas and conventions. Its three chief characteristics were: The "so-called Decadence; the introduction of a Sense of Fact into literature and art, and the development of a Transcendental View of Social Life." People felt that they were living in an era of hope and action and that anything might happen. To the young any new thing was irresistible and the snapping of apron strings was heard in the land. A new value was placed on "personality" and young people whom Nature had plainly designed for quite ordinary purposes were everywhere hoisting themselves by their boot-straps in an endeavor to "lead their own lives."

Decadent minor poets sprang up in the most unexpected places. The staidest of Nonconformist circles begat strange, pale youths with abundant hair, whose abandoned thoughts expressed themselves in "purple patches" of prose, and whose aim in life seemed to be to live "passionately" and in "scarlet moments." Life-tasting was the fashion and the rising generation felt as if it were stepping out of the cages of convention and custom into a wider freedom full of tremendous possibilities.

In a transport of "modernity" writers applied the term *fin de siècle* to everything they had not happened to see before, and the word "new" became as common as an exclamation point. There was the "new hedonism," "new paganism," "new remorse," "new voluptuousness," "new realism," "new humor," "new spirit," "new drama," and of course the "new woman." In short, the British people, according to Mr. Jackson, suddenly woke up one day in the

[1] *The Eighteen-Nineties.* By Holbrook Jackson. New York: Mitchell Kennerley, 1913.

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early nineties and found itself changed from a stolid into a volatile nation, and this new-born freedom

seemed to find just the expression it needed in the abandoned nonsense chorus of "Ta-ra-ra-boom-de-ay!" which, lit at the red skirts of Lottie Collins, spread like a dancing flame throughout the land.

It was the day of the "esthetic movement," the *Yellow Book,* the *Savoy,* Oscar Wilde, Aubrey Beardsley, the Rhymers' Club, *The Green Carnation,* the Decadence, the bicycle, the "new urbanity," the "new dandyism," and of new and strange forms of wickedness, well advertised for the purpose of shocking the middle class.

Certain artists and minor poets gained repute by their alleged association with vice. It was fashionable in "artistic" circles to drink absinthe and to discuss its "cloudy green" suggestiveness, and other hitherto exotic drugs were also called into the service of these dilettanti of sin. Certain drugs seemed to gather about them an atmosphere of romance during these years, and all sorts of stimulants and soporifics, from incense and perfumes to opium and hashish, and various forms of alcohol, were used as means to extend sensation beyond the range of ordinary consciousness, along with numerous well-known and half-known physical aids to passionate experience. . . . Nothing is more remarkable, in looking back at the Nineties, than to note how Death has gathered to himself the majority of the period's most characteristic and most interesting figures. All of these men "lived their own lives," and when whim or Fate led them along perilous paths they suffered the consequences. Most of them died young, several of them were scarcely more than youths; some died of diseases which might have been checked or prevented in more careful lives; some were condemned to death at an early age by miserable maladies, and some were so burdened by the malady of the soul's unrest that they voluntarily crossed the borderland of life. . . . Oscar Wilde died in 1900 at the age of forty-four; Aubrey Beardsley died in 1898 at the age of twenty-six; Ernest Dawson, in 1900, aged thirty-three; Charles Conder, in 1909, aged forty-one; Lionel Johnson, in 1896, aged thirty-five; Hubert Crackanthorpe, in 1896, aged thirty-one; etc.

What Mr. Jackson calls the "new dandyism" may be summed up in Oscar Wilde's dicta: "Art is our spirited protest, our gallant attempt to teach Nature her proper place," and "To expect the unexpected shows a thoroughly modern intellect." It was a dandyism of the intellect and ran inevitably to epigram, paradox, and pose. But when so many young writers were struggling to seem remarkable it was natural that they should end by looking about the same. Thus it was necessary to revolt against their own revolution. "Heterodoxy took the sting out of its own tail by becoming orthodox," and many an ardent soul, failing to attract

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attention by excess, fell back on the device of moderation. There was a sort of distinction, they hoped, in merely not trying to seem queer, for the time had come when the public was likely to be surprised by any writer who was not manifestly attempting to surprise it. Max Beerbohm, if I remember aright, scored splendily on this occasion by the masterstroke of not having any ideas. It was in fact rather a monotonous time even at its heyday, though Mr. Jackson is too good to say so, and literary shop was getting itself taken much too seriously and people were disputing whether you could write as good a poem about a scent-bottle as about a violet, believing apparently that it was the scent-bottle or the violet that made the poem good. The "idea" or the "tendency" of an author prevented the detection of his essential mediocrity, and while there were "movements" by the score, the individuals in motion were by no means numerous. Mr. Jackson is very misleading as to the number of giants there were in those days.

Of attitudes, of course, there was no end. "The first duty of life is to be as artificial as possible." "Whenever people agree with me I always feel I must be wrong." There was something pathetic in this thirst for distinctiveness and fear of being caught in the class to which one really belonged. "Nothing, not even conventional virtue, is so provincial as conventional vice; and the desire to 'bewilder the middle classes' is itself middle class." The strain of the fine phrase and the purple patch was terrible, and strong men wept when others said a complicated thing ahead of them. So a "rose shook in a woman's blood" and "a quick breath parted the petals of her lips," and heroes sat among "olive-green chrysoberyls," and "cymophanes," and "pistachio-colored peridots" and "violet spinels" and London "spread out like a black velvet flower" and "fingers wandered, quelling the little mutinies of cravat and ruffle," and young men displayed the "décolleté spirits of astonishing conversation" and many of them nearly died in the attempt. Which matters and many others are admirably set forth in chapters on "The New Dandyism," "Shocking as a Fine Art," "The Decadence," and "Purple Patches and Fine Phrases," but in so kindly a spirit that they seem the pious relics of a quite important generation. I venture to say that for all his air of benignant reminiscence the raking up of these things was no light matter. It was a work of actual excavation. He

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recalls fifty books in a single chapter which no self-indulgent reader would ever dream of looking for again. He is sympathetic, even enthusiastic, from beginning to end.

As to the Decadence, he argues reasonably that the term is a misnomer. Many of the writers and artists concerned in it have since "become harmless classics, and some almost forgotten."

> It should not be forgotten that the effort demanded by even the most ill-directed phases of decadent action suggests a liveliness of energy which is quite contrary to the traditions of senile decay. During the Eighteen-Nineties such liveliness was obvious to all, and even in its decadent phases the period possessed comic qualities. But the common sense of the matter is that where the so-called decadence made for a fuller and brighter life, demanding even more and more power and keener sensibilities from its units, it was not decadent.

He is amazingly susceptible and quivers in the very lightest literary breeze. Authors so diverse or incompatible that a liking for one would naturally involve a loathing for the other receive an equal welcome in his hospitable soul. There are urbane chapters on Oscar Wilde, Aubrey Beardsley, Max Beerbohm, Francis Thompson, Bernard Shaw, John Davidson, and Kipling, and none of them contains anything that the author himself would not have liked to read. Only his diligence and his keen eye for characteristic features save his work from the blighting effects of an altogether too sweet disposition. It is not criticism; it is a literary chronicle in *couleur de rose,* but entertaining, informing, and suggestive, and as thoroughgoing a piece of work as can be found within its field.

He is embarrassed, no doubt, by the nearness of his objects, for in large part his book applies to the writings of to-day. The acids of criticism are hard to handle in dealing with contemporaries, for the author squirms and the critic loses his head; so reviewers choose the line of least resistence—that is to say, praise. Mr. Jackson has evidently been steeped in current reviews and "appreciations" and that is not an invigorating immersion. The reviewer in our day, now that the period of Bludyer and Slasher has gone by, is a very busy person whose mind has been seriously impaired by the habit of reading with intent to forget. He soon loses, as a rule, all sense of personal distinctions and sees authors in schools or groups. Books go through a reviewer's mind like coals down a coal-chute and wear it perfectly smooth. In the

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long run reviewers' minds look as much alike as the coal-chutes and you are no more likely to find anything indigenous sprouting there. That is why it is so often impossible to detect any essential difference between the writer of an appreciation of Mr. John Galsworthy, in the London *Spectator,* and the writer of a bird's-eye view of Mr. Eden Phillpotts in the back part of an American monthly magazine, although, seen in the flesh, one might prove to be a grizzled old reprobate and the other a young girl graduate. Current literary "appreciation" seems to level all minds. The effort to be impersonal in literary criticism resolves itself generally into an effort to be multi-personal, to think in herds, to substitute a composite, universally acceptable, book-made entity, for that not necessarily guilty or dangerous thing, your own point of view. That is one reason why the results are generally so tremulous and ineffective.

That Mr. Jackson can do more difficult and intimate writing than that which sets forth the "central thoughts" of authors and quotes appropriately from their books is shown by his chapters on Aubrey Beardsley and Oscar Wilde. Of the latter he says:

> Dandy of intellect, dandy of manners, dandy of dress, Oscar Wilde strutted through the first half of the Nineties and staggered through the last. So pleased was he with himself, so interested was he in the pageant of life, that he devoted his genius, in so far as it could be public, to telling people all about it. His genius expressed itself best in stories and conversation, and he was always the center of each. The best things in his plays are the conversations, the flippancies of dandies, and the garrulities of delightful, shameless dowagers. His best essays are colloquies; those that are not are dependent for effect upon epigrams and aphorisms, originally dropped by himself in the dining-rooms and *salons* of London and Paris. When he was not conversing he was telling stories, and of these stories, perhaps the "Prose Poems," "The House of Pomegranates" and "The Happy Prince," will outlive, even his wittiest paradox. "Salomé" is more a story, a "prose-poem," than a play, and it is more, to use for once the method of inversion in which he delighted, an epigram than a story. One can imagine the glee with which Oscar Wilde worked up to the anti-climax, to the moment after Salomé has kissed the dead mouth of Jokanaan, and Herod has turned round and said, "Kill that woman." One can taste his own delight while writing the final stage instruction: "The soldiers run forward and crush beneath their shields Salomé, daughter of Herodias, Princess of Judæa." But more easily still can one imagine this remarkable man for ever telling himself an eternal tale in which he himself is the hero.

But in the main he is merely an absorbent of current literary criticism with all its exaggeration of momentary

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values. He is a passive reader on whom almost any nonentity may hang his thoughts, as on a clothes-line. The chief difficulty, of course, is that amid the hubbub of the present moment he is looking for signs of the times, schools, movements, literary tendencies, and the criteria of permanent classification; and he has fallen among whims and passing fashions. There is a periodicity in light literature, but so there is baggy trousers, women's skirts, commercial crises, and spots on the sun. What is the law of baggy trousers? They may be baggy next year or somewhat tighter. It is pleasant not to know. It is the same way with what are called literary tendencies in the critical reviews of to-day and yesterday. Many of them stop tending altogether after a year or so, and some of them never even began to tend. I do not really know whether Mr. Holbrook Jackson is right or wrong as an interpreter of the literary tendencies of a dozen years or so ago, but I do know from this volume that he is quite admirable and interesting as an archeologist of whims.

F. M. Colby.

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NEW BOOKS REVIEWED

THE CONQUEST OF MOUNT MCKINLEY. By BELMORE BROWNE. New York and London: G. P. Putnam's Sons, 1913.

Quite apart from the value of the increase in geographical knowledge won through such feats as the attainment of the North and South Poles, or the ascent of the highest mountains, the motive that prompts these undertakings is felt to be profoundly human and in a sense ethical. The conquest of the highest peak in North America appeals to one not merely as a manifestation of the spirit of sport raised to a heroic pitch and dignified by its connection with the most awe-inspiring grandeurs of nature, but also as a phase of man's everlasting conflict with the physical world. In reading the story of this exploit, we feel ourselves responding to the elemental "call of the wild," to the fascination of discovery—that fascination which the topographer feels as he watches the growth of rivers and mountain chains on his plane-table—to the mysterious attraction which dominates the mind of the explorer when he travels over the snow at night, strangely stirred and yet quieted by "the clean, cold smell of the night air, the loom of great peaks against the sky, the bigness and freedom of the everlasting snow-fields." To most of us, also, the tense, overwhelming emotions that spring from the perils of big adventures are enviable; and from such a narrative as Belmore Browne's we learn to appreciate something of that tonic effect which the explorer feels as the result of successful resistance to hardship—the sense of well-being, of readiness for almost anything that may turn up, which is almost a spiritual asset. Moreover, in this, one of the last of the geographical wonder stories that have remained to be written, there is a continuous panorama of impressive scenes. To the appeal of mountains that smoke with avalanches or of ice walls and gorges that would "make a Gustav Doré throw down his brushes in despair" few can be indifferent; for through the pictorial imagination is satisfied that craving for fuller experience which, as Max Eastman has pointed out, is at the root of both the love of poetry and the zest for adventure. But to these various sources of interest—sources which have perhaps a greater psychological depth than is generally recognized—there is added a feeling that is deeper still. Such is our fundamental attitude toward nature that undoubtedly we would feel that something was lacking in humanity if there were no one to accept the challenge of the great peak.

To the mountain-climber Mount McKinley presents unusual difficulties—difficulties which are quite unconnected with its altitude of 20,300 feet above the sea. To begin with, the mountain is placed "in the most inaccessible position obtainable," forming the apex and geographical center

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of the great wilderness south of the Yukon and west of the Tanana rivers. The problem of reaching the mountain at all, as readers of Mr. Browne's story will soon perceive, is no small one. On the south the nearest salt water is Cook Inlet, 140 miles distant in a direct line, and the route from this southern side lies over glaciers thirty miles in length. Then, too, the actual ascent is much more toilsome than that of equally high, or higher, peaks in South America or Tibet; for the latter rise from plateaus as much as 10,000 feet above sea-level, and it is only when these have been reached that the real work of climbing begins. Mount McKinley, on the other hand, descends on its northern face to a point as low as 3,000 feet. By whatever route the mountain is approached, it is necessary to take to the ice at a low level, which necessitates polar equipment and the transportation of large quantities of provisions.

Belmore Browne, with Professor Herschel Parker, made three attacks upon Mount McKinley, in 1906, 1910, and 1912, respectively, of which only the last was successful, though the earlier trips are not the less interesting from the point of view of exploration and adventure. Associated with Browne and Parker in the 1906 expedition was Dr. F. A. Cook, who, in view of his previous experience in the region, was allowed to determine the route. The party was equipped with a shoal-draft motor-boat and a pack-train of twenty horses. In accordance with Dr. Cook's plans the expedition was divided into two parts, of which one was to ascend the Yentna in the motor-boat, while the other marched overland with the horses to the head of navigation on the same river. The reunited party was then to search for a pass in the unexplored part of the Alaskan range. "In view of Dr. Cook's having already failed on the northern approach of the mountain," writes Belmore Browne, "I am to this day unable to understand why he was willing to risk the finding of an unknown pass when there was a good pass at the head of the Kichatna River on the line of march that the pack-train was to follow." This plan, however, was adhered to. The route up the Yentna beyond the head of navigation lay up a great glacier valley four miles broad, swept bare to rock and sand by the spring overflow, and crossed and recrossed by the river, broken into dozens of snarling streams. Ultimately the party reached the cañon of the Yentna and explored it, but found no egress. Quicksands, high water, the toil of trail chopping, and scantiness of rations made this trip and the return to base camp as remarkable in its way as anything the explorers accomplished. Nearly fatal accidents in swimming the horses across the swift streams were of frequent occurrence, and every hour the party had to attempt the seemingly impossible. From the base camp a trail was next chopped across to the East Fork of the Yentna, and thence the journey lay northeast across Mount Kliskon and toward the Tokositna glacier. After much toil the glacier was surmounted and a mountain upon its farther side was scaled, but the near view thus obtained only proved the impossibility of reaching the southern face of Mount McKinley. Between the eager explorers and their goal lay "a tangled, chaotic mass of rugged mountains and glaciers." Food was scarce, and with the coming of the frost the horses would die. The party, therefore, returned to the coast, where, after an interval spent in hunting, Mr. Browne was surprised to hear the report that Dr. Cook, who had departed avowedly on a reconnoitering expedition to the north, had ascended Mount McKinley. Later he was astounded by hearing Cook him-

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self confirm the rumor. The author's testimony in regard to this singular affair is both clear and reserved.

In 1910 Browne and Parker decided to make a second attempt upon Mount McKinley's southern face. In their choice of a route they were determined partly by the desire to map the unknown peaks and glaciers of this region and partly by the hope of reaching the southern northeast ridge of the mountain, viewed in 1906. But the ruling motive was the desire to follow Dr. Cook's route and duplicate his photographs, thus settling the polar controversy—in other words, the question of Dr. Cook's veracity. In a specially designed motor-boat the explorers ascended the Susitna and Chulitna rivers to the mouth of the Tokositna. Turning up the latter stream, they reached at length a great glacier leading toward McKinley. After struggling up this ice river for many miles they came to a point where two tributaries entered it, while the main glacier stretched up through a tremendous gorge to the north. Near the boundary of the eastern tributary occurred the dramatic and convincing discovery of Dr. Cook's "fake" peak, which was identified not only by its individual appearance, but by various landmarks, as the photographs show. The journey up the main gorge was then resumed, only to terminate in a mighty struggle with great seracs whose towering, pinnacled ice walls turned the explorers back after several desperate night attacks—adventures which involved Herculean labor and were as weird sometimes as anything that can well befall a man in his senses.

"It is seldom realized," remarks Mr. Browne, "that the most dangerous and difficult trips are usually those that end in failure."

When in 1912 plans were made for a third expedition, it was decided to approach the mountain from the north, as the surest means of reaching the southern northeast ridge which previous experience and observation had designated as the most likely ladder up the mountainside. The logical route would have been by way of Fairbanks on the Tenana, which is separated from Mount McKinley by only one hundred and sixty miles of easily traversable country. But the fever for discovery led to the adoption of another course. It was determined that the ranges to the east should be explored and, if possible, a pass should be found between the well-known Broad Pass and Mount McKinley. A new element of interest enters the narrative with the beginning of the 1912 wilderness trail, for this time the journey was made in the winter and with the aid of dogs. Up the frozen Susitna and Chulitna the party traveled until they reached a point some miles north of the mouth of the Tokositna, where the deadly work of packing freight and breaking trail had to be begun. An unnamed tributary of the Chulitna led the explorers to a glacier, and a reconnaissance of this resulted in the discovery of a pass—a chaos of rock and ice through which for seventeen days the party wormed its way. After many vicissitudes they reached the Muldrow glacier; on April 12th they pitched their tent beside it, and on April 17th reached timber line, having crossed the Alaskan range "from wood to wood."

There follows the tale of the heart-breaking advance up the mountain and along the great glacier that runs up to a high altitude between the central and northern northeast ridges. At a height of 11,000 feet it was necessary to return to base camp with the dogs, and some notion of Alaskan glacier travel at its worst may be gained from the fact that the descending band covered only six miles in seven hours, sounding every

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foot of the way for crevasses. The last period of the climb was like "an evil dream"—a desperate combat with wind, ice-mist, and deadly cold. Half blind and in momentary danger of freezing, Browne, Parker, and La Voy were forced to turn back at the beginning of an easy incline across which, under favorable weather conditions, they could have walked in five minutes to the absolute summit.

Throughout the narrative the author takes his readers unreservedly into the spirit of the enterprise—its exultations and disappointments. One is made to understand the naïve joy of the explorers in the discovery of "pemmican pudding," as well as the elation inspired by the tremendous views that rewarded some of their hardest efforts. The story is always adequately colorful and at the same time obviously honest in every detail—never so suffused with "literary" atmosphere as to lose the effect of rugged actuality. In substance, *The Conquest of Mount McKinley* is an epic of American mountain-climbing, in which every-day cheerfulness and courage take the place of poetic fervor, while the perils encountered are no less impressive than that of Odysseus when the Cyclops hurled half a hilltop at his little boat.

THE RISE OF THE AMERICAN PEOPLE. By ROLAND GREENE USHER. New York: The Century Company, 1914.

Mr. Usher's book about the meaning of American history is extremely compact, readable, and enlightening—a book of the soundly and broadly instructive kind which is precisely suited to the needs of the thoughtful general reader who prizes intellectual grasp and lucidity above the niggling details of specialized learning. Now and then one finds a treatise upon a subject of common and vital interest—such a treatise as President Lowell's book on *Public Opinion*—which seems fitted to fulfil for popular culture as large a part as has been performed in the special sciences by certain notable text-books. But the genus is rare. To this class, however, *The Rise of the American People* may be, without much hesitation, assigned. Through it runs a genuine nexus of ideas; it supplies a true, and not merely a formal, framework, useful alike in unifying and in interpreting the more or less chaotic mass of facts which make up the substance of our history.

Mr. Usher's true theme is the process through which American nationality was born. His main thesis is that the real birth of nationality did not occur until the Civil War. "The 'creation' of a new nation in this particular instance," he writes, "consisted in the achieving by the majority of a consciousness of facts and tendencies that had always been true. As a child takes form in its mother's womb and exists before it makes its entry into the world, so a nation grows, all unconscious of its own existence; and, as with the child, we date its life from the first moment of consciousness." Thus while, in conformity with the modern historic method, economic causes are regarded as fundamental, the book is saved from being a mere economic treatise because the psychological, the spiritual factor is always reckoned in.

In discussing the periods of settlement and of colonial growth, stress is clearly laid upon the economic and geographical elements, although other forces are not ignored. A brief chapter suffices to sum up the

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causes of Spanish and French failures. It is the control of the Atlantic acquired by England in 1588 that really made possible the genesis of the United States. Emigration to the English colonies was the result not merely of religious beliefs, but more largely of economic forces which made people willing to come. The Pilgrims left Holland "not because they could not worship there as they pleased, but because they found it hard to make a living, saw their children losing their English speech and habits, and feared that a renewal of the war with Spain might actually put their lives in danger." The permanence and growth of the English colonies are explained as due primarily to the geographical advantages of the Atlantic coast, to the absence of powerful Indian tribes, and to the existence of maize, tobacco, fish, and furs. In the continued economic growth of the colonies is found the most fundamental cause of the Revolution—this, taken in connection with the early acquired ability of the colonists to govern themselves, and their generally successful policy, adopted from the beginning, of resistance to English interference, places the war in its true perspective. The effects of such conditions as the dependence of the colonies upon Europe through trade with the West Indies, and the existence of a creditor and a debtor class, are clearly traced down to a late period. In general, Mr. Usher's discussion is sufficiently full to give large and substantial meaning to his rather impressive summing-up sentences. The reader is made to feel all that is implied in the remark that "the Declaration of Independence was in very truth merely the statement of an existing political and constitutional fact," or in the conclusion that the real issues of the Revolution were "not constitutional, but economic and administrative, and concerned not law, but expediency." That the resistance to English demands was neither national nor spontaneous; that the Revolutionary movement derived great strength from the adhesion of the "debtor party"; that the war was not won by superior force or generalship; that during and immediately after the Revolution the colonies grew in wealth and population; that the Constitution was based upon an actually existing equality of condition—these are some of the more striking of those conclusions which the author regards as the essential and elementary "facts" in history. As the narrative proceeds attention is drawn to the gradual growth of national spirit. In 1830 we see the nation beginning subconsciously to "try to think, act, and believe." From this point onward nationality rather than the absence of it becomes the keynote of the story. In dealing with the period of sectional divergence, with the Civil War, with the Reconstruction issue, and in his final chapter upon national problems, Mr. Usher succeeds in giving sharp outline to essential truths. His imaginative grasp of ethical and social, as well as economic, causes makes his work the truer historically and the more edifying from the standpoint of intelligent patriotism.

DEMOCRACY AND RACE FRICTION. By JOHN MOFFATT MECKLIN, PH.D. New York: The Macmillan Company, 1914.

Dr. Mecklin's careful study of the relation of the negro to American civilization, though broadly philosophical in its point of view and scientific in its scope and language even to the point of over-elaboration, adds, on the whole, but little to the common stock of ideas regarding the

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difficult subject of which it treats. In the upshot a comparison of opinions and facts confirms the prevailing rather pessimistic view—the view of the negro as heavily if not hopelessly handicapped by heredity, by lack of adaptability to the white man's world, and by the operation of a race antipathy which cannot, and perhaps should not, be eradicated. After determining as accurately as possible the traits that are really racial, the author finds ample grounds for concluding that the negro is "not merely an Anglo-Saxon with a black skin," but affirms that the facts prove not so much racial inferiority as racial difference. There is a possible error in condemning the negro as mentally inferior "because of his alleged inability as a class to enter at once and readily into the social heritage of the white." On the other hand, racial *backwardness* in both moral and intellectual development seems established beyond dispute. In the somewhat dubious distinction between "inferiority" and "backwardness" the hope of the negro as a race seems to be summed up. Typical of his maladjustment to his "social setting" is his difficulty in attaining an intelligent mastery of the English tongue—a difficulty which disappears, of course, in the case of the exceptionally intelligent few. "The negro," writes Dr. Mecklin, "is born heir to forms of speech back of which lie race traditions differing widely from his own. Yet his deepest feelings and aspirations must in some way find expression through this medium. His social consciousness must conform at least externally to the ideas, the conventionalities and social traditions which it embodies." This and similar disabilities we may regard either as in the nature of a fortuitous "handicap" or as deep-seated and unchangeable limitations. The former alternative is perhaps the more logical, and otherwise preferable. But unfortunately the optimistic view seems to have little bearing upon the immediate problem. For the negro's real and serious handicap lies in his exclusion from the social life of the dominant group. It is this that hampers the growth of his personality and makes it difficult for him to appropriate his social heritage. For this, however, there is no real remedy, thinks the author, short of that degree of social intimacy which implies intermarriage, and against intermarriage, racial antipathy—an instinct of evident evolutionary value—bars the way. While approving the spirit of Booker T. Washington's phrase—"In all things purely social as separate as the fingers, yet one as the hand in all things essential to mutual progress"—Dr. Mecklin credits with deeper insight another negro, Professor Kelly Miller, who has said, "Without social equality, which the Teuton is sworn to withhold from the darker races, no other form of equality is possible." Since Reconstruction days, the Supreme Court, reflecting public opinion, has sanctioned the principle of race segregation. Here, then, is the crux of the problem; the negro must work out his salvation within his own group. In so doing he is constrained to attempt the making of "bricks without straw," and there are few signs that he is really succeeding. One possible way of dealing with the situation would be the maintenance of an artificial state of equality looking toward final assimilation, and another, the establishment of a caste system; but, for obvious reasons, neither of these methods is feasible. In the end the negro, with equal consideration before the law, must be left to undergo a stern process of social selection. "Apart from the sympathy and occasional helping hand of his white brother, he must tread the wine-press alone." Dr. Mecklin's book is logically firm and not lacking in sympathetic insight. It will repay reading.

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MEMOIRS OF YOUTH. By GIOVANNI VISCONTI VENOSTA. Translated by WILLIAM PRALL. Boston and New York: Houghton Mifflin Company, 1914.

The particular value, as well as the distinctive charm of Visconti Venosta's *Memoirs* lies in the fact that through self-revelation and the description of social groups they impart a singularly lively and vital understanding of the spirit that pervaded the Italian struggle for liberty throughout the period from 1847 to 1860. In all the profusion of intimate and even gossipy detail which the narrative contains there is nothing that is really irrelevant to the time-spirit. Venosta, too, is at once an emotional and a logical thinker—that is, in his mind, enthusiasm, according to what is perhaps the natural sequence, seems always by a little to precede reflection, but is invariably followed and modified by a notable love of intellectual order and of practical reason. He is wholly rational, but never inhumanly analytical, and his temperament, engaging in itself, admirably reflects the spirit of the time of which he writes.

For coherence and picturesqueness the account of the Five Days—the expulsion of Marshal Radetzky and his Austrian troops from Milan in 1848—is remarkable, and it is enlivened by curious incidents such as a Victor Hugo might choose for their fictional and human value—the story, for instance, of how, during the excitement of the first uprising, Visconti Venosta and other perfectly sane persons unquestioningly obeyed for some time the orders of a madman, without in the least suspecting his crazed condition. But more deeply interesting than the Five Days are the ensuing ten years of passive resistance to Austrian rule—years during which "the Lombardo-Venetian provinces with Milan at their head gave an exhibition of how a country can exist separated from its rulers." Throughout this period we seem actually to see the workings of those ideals and unselfish enthusiasms which in ordinary life play for the most part a submerged or invisible part. "The Five Days," writes Visconti Venosta, "fill a splendid page of Milanese history, but he who studies the facts of our revival must conclude that, in the decade of resistance the Milanese wrote a yet more glorious page. It is easier far to be a hero in battle than to keep a brave heart during ten years of imprisonment." Through a multitude of recorded acts, words, observations, the reader breathes in the atmosphere of tense hopefulness, of feverish conspiracy, of high-minded and sometimes quixotic patriotism.

With none of the three great leaders of the *Risorgimento*—Garibaldi, Mazzini, and Cavour—was Visconti Venosta associated in any very close or personal way. He was, however, especially in touch with the policies of Cavour, of whom he gives a definite and consistent impression as a far-seeing statesman, at once moderate and audacious, and as truly "the great artificer of the new kingdom of Italy." Toward Mazzini and the Mazzinian plottings his attitude is unprejudiced and indeed sympathetic; but, beginning with fervid faith, he, like others, at length lost his "illusion in regard to the people that Mazzini had taught us to place next to God," and, wearying of too many vain enterprises, came to regard the idealist leader as a rather dangerous mischief-maker. Garibaldi figures in the narrative the least of the three, but we get a glimpse of him now and then, and we meet with one very interesting illustration of the extraordinary personal magnetism with

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which even his simplest speeches were fraught—an illustration best given in Venosta's own words: "'Thank you, my children,' I heard him say one evening to a crowd that was making a demonstration before his window, 'thank you. I am tired, and it rains. Do you go to bed also. Good night to all.' A delirium ensued, and the people scattered, commenting upon the words of the general with tears in their eyes."

Although Visconti Venosta was, at the beginning of the period of which he treats, a mere youth, he was from the first an ardent patriot and a keen observer. Among his friends were some of the most active revolutionists, and his elder brother, Emilio, was in the thick of political plotting. The young man was, therefore, in a position to understand the motives behind events, while his social disposition and the interest in humanity which made him always curious to know "what was said and done during the chief events of history by that part of the public which has not the honor of being recorded in books," helped him to see into and appreciate all that went on. In the later years, especially, he himself did good service, helping to carry out in the Valtellina the policy of Cavour, who wished that the French "should find a country in insurrection and not seem to be the liberators of a submissive people."

The strongest final impression left by the *Memoirs* is that of the solidarity of the Italian people during the ten years of resistance. "There was no permanent conspiracy," Emilio Visconti Venosta told an Austrian minister, years after the struggle was over; "there were some especial ones, but they were of short duration, and were composed of but few persons. There was a great natural conspiracy of all"—an apt summing up of the whole matter.

FRENCH CIVILIZATION IN THE NINETEENTH CENTURY. By ALBERT LEON GUERARD. New York: The Century Company, 1914.

Embodying in a highly abstract form the results of a long-continued and profound study of later French history, M. Guerard's book, the outcome of a series of lectures delivered at Stanford University in 1913, is designed to interest the reader already well-versed in the general topic, and to guide the student desirous of extending and deepening his knowledge. The treatise is not an exposition, but a commentary. The author's original aim, he tells us, was to supplement the usual university courses in French literature, and this in part explains his method. He evaluates each period from that of Napoleon I to the present time with respect to its political temper, its social conditions, its culture, describing those intellectual influences that are common to life and literature.

M. Guerard reveals a brilliant power of descriptive generalization, but keeps clear of the dogmatism to which the faculty of seeing things in the abstract too commonly leads. In his introductory chapter he warns us against following too far any one theory—either that of environment or race or historic ethnography or collective psychology—in the interpretation of history. France, he points out, though she possesses a real geographical unity, includes within her territory an extreme variety of climates and aspects. As a people, too, the French are "a racial medley." There is no depth of meaning in such terms as "the Teutonic race, the Anglo-Saxon race, the Latin races." French unity is not of blood, but of

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will. There is, to be sure, a national character comprising several marked traits, among which cheerfulness, a nervous temperament, sociability, and a passionate love of abstract ideas are the most prominent. So far, the author is upon the same ground with the commonplace observer; he gets upon higher ground by virtue of his philosophical recognition of the limited truth of any list of attributes, and through the sure skill with which he picks out the true French qualities as distinguished from the corresponding qualities in other nations, so far as that may be done. Of French cheerfulness, for example, he writes that "it is not exuberant and spasmodic, but gentle and suffused through the daily routine. It neither implies nor excludes true happiness and genuine good-nature. There is no mixture of sentiment in it, and it has a decided bent toward mockery. In all these respects it is different from Italian joyousness, English good humor, or German *Gemüthlichkeit*. Most of all does it differ from the outbursts of sheer animal spirits which alternate in the Anglo-Saxon with long stretches of intense earnestness." Such analysis is satisfying, but the author hastens to qualify still further. Each trait, he reminds us, is accompanied by its reverse and complement. The dominant characteristics vary greatly with the region and for the very reason that they are collective, superimposed, they must not be taken too absolutely. "Originality of thought, intensity of feelings, power of imagination, may be veiled under conventionalities and abstractions: they are not destroyed. . . . In the same way, under the polished veneer of French society and the attractive generality of French thought we should remember that there are men and women with the same feelings as their brothers and sisters all the world over. The part of 'collective psychology' is not so much to offer positive explanations as to remove causes of misapprehension."

In effect, the rôle assigned to the general philosophy of history is also negative. The reader will look in vain for any artificial or theoretic unity in the narrative. It is enough for M. Guerard to prove that French history, despite its dramatic and apparently capricious course, represents a steady evolution. "However sudden and tragic French revolutions in the nineteenth century may have been, it is a question whether in point of actual performance any of them meant more than an average general election in Great Britain." Even the great Revolution is not to be regarded as an "indivisible block." Viewed in proper perspective, it is seen to have actually carried on and completed the work of the Capetian dynasty; nor in other respects was it a mere volcanic upheaval. It included the application of philosophical principles, it accomplished the transfer of a vast amount of landed property from clergy and nobility to bourgeoisie and peasantry; finally it was characterized to a much greater degree than is commonly thought by a willingness to temporize and compromise. While no logic can make the history of a nation appear as the simple evolution of certain inherent tendencies, the absolute cutting off of a tradition at a given point is not to be too easily credited.

That M. Guerard's historical point of view is scientific in the modern sense—admitting the element of continuous causality, but not overworking it in such a way as unduly to narrow the scope of the subject—deserves emphasis because of the rather dazzling success of his generalistic method. He impresses one, in fact, as a sort of Taine with the dogmatic assurance left out. Dealing in turn with Napoleon I, constitutional monarchy, Napoleon III, the Third Republic, with socialism, the Dreyfus affair, educa-

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tion and religion in modern France, he builds us clear and colorful general conceptions of each phase—frames of thought into which may be fitted a more detailed knowledge of events and of literary or artistic accomplishments, and by which these are interpreted. In this there is no mere formalism, but always there is a recognition of the underlying concreteness and variety of the phenomena considered.

THOMAS WENTWORTH HIGGINSON. By MARY THACHER HIGGINSON. Boston and New York: Houghton Mifflin Company, 1914.

Moral earnestness is the phrase that first occurs to one as expressing the keynote of Colonel Higginson's life, and, next to that, zest. Seldom are these traits so fully blended in the character of an active reformer as they were in this instance—blended and rounded out to completeness of personality by the most engagingly human qualities. Throughout Colonel Higginson's career his activities, however strongly directed by principle, seem never forced, but always spontaneous, and even in his willingness to carry personal principles to extreme conclusions, he showed none of the ungracious enjoyment of mere protest. Men in whom conscience is a real force are none too common; those in whom conscientious action seems but one aspect of joyous self-expression are rare indeed.

Heredity is invoked to throw light upon the motives of his life, with more success than is often achieved in this way. Among his ancestors was the Rev. Francis Higginson, with whose career his own presents at least one striking analogy. "I was amused yesterday," he wrote in 1850, soon after he had left his church in Newburyport, "by reading in a note of Dr. Young's *Chronicles* that when Francis Higginson, the ancient, became a non-conformist, 'he was accordingly excluded from his pulpit; but a lectureship was established for him, in which he was maintained by the voluntary contributions of the inhabitants'; so I have good precedents." His paternal grandfather, Stephen, proved himself a bold and successful shipmaster, was later a member of the Continental Congress, and became a political writer of some note. T. W. Higginson's father, also named Stephen, was a merchant and philanthropist, prominent in civic affairs. From the mother's side of the family came a reinforcement of the forces that tended to vigorous action. Colonel Higginson's maternal grandfather was Captain Thomas Storrow, whose life "reads like a romance"—almost like an old ballad, in fact. In the descendant all the ancestral tendencies seem to have been reflected—the non-conformist bent, the love of action and of letters, eager interest in affairs and in political questions, the kindly, philanthropic disposition, and, not least, the ardent love of adventure.

As a youth, we find him like others of complex nature, a little slow in finding himself. At sixteen or seventeen he seems to have been as vague a creature as are most boys of that age—somewhat awkward and shy, full of unsettled aspirations, and sentimental to excess. But with him complexity did not imply futility or endless inner conflict, but merely the possession of impulses and capacities sufficient to equip several different kinds of successful men. The literary tendency developed first, but not in the first instance with sufficient power to determine his career. For a time after graduation from Harvard he turned to teaching, first

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as instructor in a private school and later as a tutor. His success was considerable: his powers of stimulating interest and of attracting personal affection were evidently great. But disciplinary requirements were a burden, and purely intellectual responsibilities did not satisfy him. "I shall never love to teach—anybody," was his final verdict. Neither did any profession appeal to him. Instead of preparing for the law or medicine, he planned to obtain a proctorship, estimating his necessary expenses for the year at $250, part of which was to be supplied by the labors of his pen. As a matter of fact, the proctorship was not forthcoming, and in time the young man felt the call to preach. Even so, his instinct warned him that the ministerial career might confine too closely his need for action and for free intellectual expression: "I crave action . . . unbounded action. I love men passionately, I feel intensely their sufferings and shortcomings, and yearn to make all men brothers." In spite of such doubts, he did, however, eventually complete his studies in the Divinity School, and subsequently became pastor of the First Religious Society of Newburyport. So great was his popularity, based upon obvious capacity and a winning personality, that for a long time he had no inkling of the fact that his political views offended his parishioners. If he had been earlier warned, the result doubtless would have been the same. In his case, abolition was not merely a sincere belief, but a formative influence. It furnished the center round which his instincts for action and independence clustered; for better or worse it was evidently the impulse that gave most meaning and direction to his life. In reading this part of Colonel Higginson's life-story one feels the actual tossing of the waves of passion and opinion in the period preceding the war—feels it with a singular sense of unsafety. His account of a slave-dealer's establishment still stirs the reader as it was meant to do. On the other hand, it is almost shocking to the minds of this war-deprecating, compromise-loving generation to read in the words of Thomas Wentworth Higginson, scholar, minister of the Gospel, and kindliest of men, these words relating to a recent conflict in Kansas: "I almost hoped to hear that some of their lives had been sacrificed, for it seems as if nothing but that would arouse the Eastern States to act. This seems a terrible thing to say, but these are terrible times." They were. Which of us can say precisely what he would have thought or done in times like those?

Surrendering his pulpit in Newburyport, the Rev. Mr. Higginson went to Worcester, where he became minister of the Free Church. In this position he had success enough to turn the heads of some men, yet we find him, despite an "incorrigible optimism," longing now and then for bigger, harder tasks. In his diary is the entry: "All I ask of fate is—Give me one occasion worth bursting the door for—an opportunity to get beyond this boy's play. . . . Till then my life, frittered away in little cares and efforts for the sick, sad, and sinful, is not worth chronicling." The craving for larger opportunities was sometimes relieved by lecturing in other towns or by speeches at Free Soil, Temperance, and Anti-slavery conventions. Later there came abundant opportunity for action. Colonel Higginson's part in the attempted rescue of the fugitive slave Anthony Burns, his mission in Kansas, his relations with John Brown, are incidents in one of the strangest of historic dramas.

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We are surrounded by an atmosphere of high ideals and conspiracy; we are plunged into a situation in which men of the noblest principles seem infected with something of the madness of desperate intrigue.

It is interesting to note how exactly through these troublous times the man of letters balanced the man of action. "There comes over me at times," he wrote, "a strange wonder whether greater and better persons in times past have taken their life as quietly while it was contemporary and forgotten all about the hubbubs in the little events of every day. . . . No affairs in which I was ever engaged excited me so much as it would have excited me to hear the thing well told in story or history." And always writing evidently afforded him the joy of action in another form.

But when all is said, nothing seems to have afforded Colonel Higginson so much delight as his war experience. Not only did he feel highly honored by the command of the first colored regiment, not only did he take a high satisfaction in its successful organization and discipline, but he wrote of the military life in an ecstatic strain that is almost disturbing: "Nothing can ever exaggerate the fascination of war. . . . I never can write about those wakeful yet dreamlike nights of moonlight; it was all too good." And again: "How great the charm of military life; it makes me almost unhappy to see men form in line and think of the happy time when it was the daily occupation of my life." While he was convalescing from a wound, his doctor reported that he had been "thrust through and through with malaria without knowing anything about it because of temperament!"

The biography is rich in reminiscences of notable people, although these of course are less full and savorsome than they would have been if Colonel Higginson had told the story of his own life. On the whole, the anecdotes are more varied than pointed or substantial; but there are interesting glimpses of Whittier and Thackeray and Holmes, among many others, and there is a first impression of Mark Twain that has a value like that of a first impression of Lincoln. Thomas Wentworth Higginson's biography appeals to us as the life-story of a man who always did what he believed right, and did it with joy. Convictions and the courage of them, the zest of youth—these are the qualities one finds through to the very end.

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LETTERS TO THE EDITOR

A DISCOURAGING OUTLOOK

HUTCHINSON, KANSAS.

SIR,—In the blather of radicalism which has been sweeping over the country for two or three years I am greatly pleased to see you are trying to save the fundamentals of our national Constitution. There may be, and probably will be, a reaction from the wild-eyed "uplifters" and the office holders and seekers; but as an old-fashioned student of our Constitution I am greatly afraid that to catch the selfish and ignorant vote of the country, class legislation, the degradation of the courts, and confiscation of property by taxation will obtain such headway that we will not be as we were. The scramble for the honest taxpayers' vote, and for the organization vote controlled by Gompers and others, is, and has been, fierce for some time past, and the tendency to be "all sails and no anchor" is great.

It is being taught that to labor is a disagreeable necessity, and that conservatism is to be derided, and that the less real character an individual has the more valuable he is to the state. In other words, the "mob" is being deified, and its excited and ignorant members flattered until many think their uncontrolled and selfish passions make them superior to cultured and efficient citizens. Self-respecting, decent, and effective men are certainly under par, with excited reformers, zealous office-seekers, in control of the favor of the press, it looks as if some very dangerous agencies and conditions are being created.

I compliment and praise you for your work, and hope that you will reach members in Congress during the pending anti-trust legislation who will make a brave fight against class legislation and to preserve equality before the law.

H. WHITESIDE.

THE SOUTH AND THE NEGRO

CHICAGO, ILL.

SIR,—Almost all readers of *Harper's Weekly* are well aware of the fact that President Wilson would probably never have reached his present exalted position had it not been for that excellent publication. A large number of citizens of this country agree with you that some of the Wilson policies are calculated ultimately to place the Republic in a very unfavorable way.

The Mexican affair is manifestly a disgraceful commentary upon our foreign policy. There are other affairs being promoted by the President which are no credit to us, prominent among which is the Bourbon policy now being pursued with reference to the Negro citizen of this country.

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The press is inclined to attribute this to the fact that the government is being managed by men of the South. I cannot see, however, why men of the South cannot run the government, provided the country desires that they do so, and provided their rule is characterized by justice and good judgment. The fact of the matter is, however, that our internal affairs, especially with reference to the Negro, is fast reaching an acute stage, while our foreign affairs in many respects have won the contempt of other nations.

If, therefore, the influence of the South is responsible in a large measure for our woes at home and abroad, all loyal citizens should use such legitimate means as are in their power to curb this influence. In view of these considerations, the writer would like to know whether or not Colonel Harvey would consider the enforcing of Section 2 of Article I.—*i. e.*, the cutting down of Southern representation—as a means of bettering the situation. As a result of the step, the writer would like to inquire also in what way the status of the Negro citizen might be affected. The disparagement between the number of voters who elect a Congressman in the South and in the North is already very large, and a standing injustice to voters in the North.

Please let me know at your convenience what your opinion would be in the matter. I am writing you because I have been a reader of *Harper's Weekly* and of THE NORTH AMERICAN REVIEW for a number of years and consider your judgment on matters of national policy unusually sound.

CHAS. S. DUKE.

AGAINST CLASS LEGISLATION

INDIANAPOLIS, IND.

SIR,—Your editorials are always interesting even when one cannot agree with you.

In the case of "Equality Before the Law," permit me to congratulate you on the stand you take.

I remember very well the editorial in *Harper's Weekly* when you addressed the President on this subject before.

I wish every editor in the country not only could read "Equality Before the Law," but were free to act on what he thinks as a man instead of being compelled to follow the policy of his paper, which too frequently is adopted for ulterior motives.

H. H. RICE.

REMINISCENT

NEW YORK CITY.

SIR,—Permit me, a stranger, to say that I experienced more pleasure in the perusal of your address to Colonel Roosevelt than ever a small boy got out of the circus. It is delicious reading!

JAMES SHARON MACCOY.

THE TREATY-MAKING POWER

LEXINGTON, VIRGINIA.

SIR,—Since THE REVIEW was unable to allot me space to answer Professor Corwin's article on the treaty-making power in the June num-

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ber, 1914, in reply to my article on the same subject in the April number of THE REVIEW, I am very grateful to you for the privilege of at least a few words in reply thereto in the form of a note.

In a note to my original article I say:

"The limits of this paper do not permit the discussion and analysis of cases decided by the Supreme Court of the United States from Ware *v.* Hylton, 3 Dallas, 199, to Geofroy *v.* Riggs, 133 U. S., 258, which are claimed to be opposed to the views expressed above. It is confidently asserted that no case has been decided by the Supreme Court involving the direct question herein discussed."

My confidence in this statement is not abated by Professor Corwin's statement that it is "plainly without merit"; and into another forum more suited to this discussion I cordially invite him.

Ware *v.* Hylton has been cited for one hundred and twenty years, but rarely quoted, for the proposition that a treaty can repeal or override a law of a State. I am satisfied that it can be demonstrated to any unprejudiced legal mind that the case not only did not decide that question, *but that under the pleadings in the case it could not have decided it.*

But I submit that Professor Corwin, with a frankness which is not common to those of his school in discussing this subject, has let the cat out of the bag when he says: "On . . . the relations of the treaty-making power to the reserved rights of the States, our conclusion must be that the latter do not limit the former to any extent; that, in other words, *the United States has exactly the same range of power in making treaties as it would have if the States did not exist.*" (Italics his.) In other words, to prove his proposition that the treaty-making power is supreme over all State powers, with one stroke of the pen he abolishes the States with their powers, and then triumphantly acclaims the supremacy of the treaty-making power over the annihilated States. The victory of one party to a controversy over the other may always easily be attained by the abolition or destruction of the opposing party.

This statement is indeed of surpassing interest, for he recognizes in my article "the spread of the dissolving theories of the 'Great Nullifier.'" He is shocked at my attempted nullification of a Federal power, but suggests *the annihilation* of the States, without which the Federal power could not exist. I commend to him the words of Macbeth:

> "We but teach
> Bloody instructions, which, being taught, return
> To plague the inventor! this even-handed justice
> Commends the ingredients of our poison'd chalice
> To our own lips—"

HENRY ST. GEORGE TUCKER.

PROFESSOR USHER'S VIEWS

DENVER, COLORADO.

SIR,—I want to call attention to what I think is a vital error into which Professor Usher has fallen in his very readable article, "The Real Mexican Problem," in the July NORTH AMERICAN REVIEW.

Professor Usher seems to conclude that as it was covetousness that led to the taking of the North American Indian's land away from him by the

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whites, and also, in the dealings with Mexico, when the whites took Texas and the large zone included in the settlement following the Mexican War, in like manner the Indians of Mexico will be deprived of their country. While this theory may be true of the former two incidents pointed out by Professor Usher, it is not, nor cannot be true of the present situation, for the very vital reason that the land of Mexico is not now in the hands of the native Indians, but is in the hands of Spaniards, natives of both Mexico and Spain, and other whites, and in this very important fact many of us believe the seat of the present revolution to originate. It is, many contend, the beginning of the effort of the Indians to "go the other way around" and take the land away from the non-using white landlords. If the greed of the class of white people in the United States known as the privilege-seeking interests is to go so far as to now, having taken the and from the Indians within the present bounds of the United States, they are to begin to take the land away from one class of whites for the advantage and benefit of another class of whites, I grant that Professor Usher is correct in his conclusions. The underlying motive of those championing the policy of the United States conquest of so much of Mexican territory as was effected by the Texas and Mexican War was the privilege of gathering in the unearned increment, when stripped of all deceptive diplomatic falsehood.

The native Mexicans are now a people without a country, and the saying that "the men who own the land of a country own the people" is certainly pathetically true of Mexico to-day, you may truly say, for, from the best source of information, about eighty per cent. of the land of the country is in the hands of less than five per cent. of the people, and of this five per cent. over seventy per cent. are white people. No, there is the "flaw in the sapphire" in Professor Usher's deductions. The Indians own little land to be deprived of. The Indians within the present zone of the United States did possess the lands of which the whites, as he states, so unjustly and barbarously deprived them, but in the present situation the Indians of Mexico have long since been deprived of their lands. The revolution now in progress will, I fear, only be settled when the people of Mexico restore to themselves the rights of which the non-using landlords have deprived them, and by which advantage the latter are "farming" the farmers of Mexico. Nothing but an equitable laying of public burdens will settle the questions up for solution in Mexico. When an enduring and permanent civilization is established, *occupancy and use* will be the only title to land, and then the wrongs such as Professor Usher points out, and yet fears will be further enacted, will cease, not only in the dealings with the aborigines in the Western Hemisphere, but throughout the civilized world.

In some measure, I think, this feature of the subject should be brought to the attention of THE REVIEW readers. You may not fully realize it, but in its genuine democracy lies THE REVIEW'S remarkable strength with the people.

Yours respectfully,

D. D. SHIRLEY.

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CONTEMPORARY ECHOES

"OUR COLONEL" AND MR. ROOT

(From the Syracuse Post-Standard)

George Harvey, in his regular contribution of political punch to THE NORTH AMERICAN REVIEW, which has so enlivened that staid old periodical that its circulation has doubled in six months, devotes his affectionate attention to The Colonel.

Colonel Harvey is a Democrat by inheritance, association, conviction, and habit. When he finds fault with Democratic administration or legislative practices it is because he sees some departure from party principle or tradition. He wants to keep his party in the middle of the road. He won't get outside the party to try to beat it if it goes wrong, but will stay in and try to steer it back.

He wants his party to win, even though he finds much in its record that is disappointing. The restless energy of The Colonel gladdens his heart. He tells The Colonel to do just what he proposes to do, so that the "Disconsolate Democrats" may have a fighting chance; he reminds him of his duty to his party and his policies just as Robinson and Hamlin and Wilkinson have, excepting that he bases his argument upon the need of the Democrats for his aid; and he makes his case so deftly that The Colonel when he reads it will wonder whether the fun-loving editor is satirical or merely candid to an unforgivable degree.

There is certainly no satire in the reference to the Root Utica speech in denunciation of Hearst. That speech was delivered by order of Mr. Roosevelt, as Mr. Root himself explained in it. Mr. Root was "reluctant to perform the task" of accusing Hearst of the assassination of McKinley. He at first refused, but at length, Colonel Harvey informs Colonel Roosevelt, "complied, solely from a sense of loyalty to your administration, in response to your vehement insistence." Senator Root has been bitterly assailed by the Hearst newspapers ever since. But the instigator of that scathing speech has escaped. In fact, there have been intervals of close political friendship. That there should be an eternal gulf between the agent who pronounced Hearst morally responsible for assassination and Hearst himself is natural enough; but that the real accuser and the accused should ever renew friendly relations is one of the amazing contradictions in the careers of Colonel Roosevelt and Mr. Hearst.

FROM WINCHESTER TO WATERLOO

(From the New York Times)

"Macedonia cries to Armageddon for help from Gideon's band," says Colonel George Harvey in the pungent and vigorous review of the po-

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litical situation which appears in the magazine section of the Sunday *Times*. Macedonia is the Democratic party, which seems to Colonel Harvey to be in desperate straits, and Gideon's band is the advancing Republican host. Armageddon is getting weaker all the time, and the only part it can play in this campaign is that of a marplot, or a rescuer, according as you view it, from the camp of Gideon or from the beleaguered fortress of Macedonia. In Pennsylvania Colonel Harvey thinks the appearance of the depleted Armageddon battalion will work to the benefit of Gideon's band and not of Macedonia, if President Wilson is foolish enough to take command of the Macedonian cohorts there. But, however Armageddon enters the contest, its activities can only result in aiding in the victory of those whom it wishes to injure. Incidentally, Colonel Harvey holds that Macedonia has deprived Armageddon of its weapons by appropriating the Bull Moose issues of 1912 and enacting, or preparing to enact, them into law.

Colonel Harvey's skill of statement is such that any argument by him seems irresistible at the time he makes it. It is a dismal prospect that he paints for Colonel Roosevelt's inspection, but perhaps the ex-President is too sagacious not to have seen already all that Colonel Harvey is to tell him. The Progressive strength, whether it has been so thoroughly wrecked as Colonel Harvey's figures indicate or not, has without question fallen off so much that the party cannot hope to carry a single State, and can only aid in putting its bitter enemies in power. Yet what are the Progressives to do! Amalgamation with the Republicans is the only alternative. That would not mean putting the prodigals in control of the reunited party; it would not even mean putting dissatisfied Republicans in control. The Old Guard controls the Republican party to-day as emphatically as it did in 1912. If the Progressives go back they will be submitting their necks to the yoke they threw off in 1912. They will be going back not to a reformed and purified Republicanism, but to the same old devil, with the same horns and hoofs. There seems nothing for them to do but to rush violently down a steep place into the sea, and that they seem to have made up their minds to do. Colonel Harvey seems fond of mixed historical metaphor; therefore we suggest to him that Armageddon has no choice except to take a Sheridan's ride to the field of Waterloo.

THE CRY TO ARMAGEDDON

(From the Milwaukee Free Press)

In his best sarcastic manner Colonel George Harvey, in the July NORTH AMERICAN REVIEW, addresses "greetings" to "Our Colonel" and prays him to "Come over into Macedonia and help us."—"Macedonia cries to Armageddon for help from Gideon's band."

Lest the President's glee at the intended discomfiture of "Our Colonel" become too hilarious, a sly thrust of the rapier is occasionally directed against that interested bystander at the tilt of the two colonels.

Here are some particularly deft passes:

"Democratic action conformed precisely to the Progressive pledge. If the one was taken in error, the other was made in fault."

"The truth is that the trust problem was solved nearly a quarter of a century ago, when the Sherman Act was passed. . . . But it was not enforced. If it had been, there would be no 'trust question' now awaiting

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'solution' by President Wilson or anybody else. And in truth there is none. The courts are gradually but surely undoing the work which was illegally done under a personally conducted administration which held itself under peculiar obligation to its 'very good friends.'"

"What you might do and what we wish the President would do is this: Urge the enactment of laws which would enable American manufacturers to compete with their rivals in foreign markets upon an even basis. . . . It is a wholly practicable proposition; but it seems not to have appealed or perhaps occurred to the present administration."

Colonel Harvey's thrusts are so evenly distributed against all of the three parties that any reader of whatever political opinion may get at least 66 2-3 per cent. enjoyment out of it.

"EQUALITY BEFORE THE LAW"

(From the Pittsfield Eagle)

Colonel George Harvey thus entitles a NORTH AMERICAN REVIEW article which is in effect "an appeal to the press and the people" to prevent the enactment into law of the labor bill to which Wilson seems to be committed.

Colonel Harvey says that a full year ago, in *Harper's Weekly,* he appealed to the President to reject "the iniquitous proviso of the sundry civil service appropriation bill which forbade the use of money therein appropriated for prosecuting violations of the law by labor-unions and farmers' associations." Six months later the Colonel, in the REVIEW, pronounced failure to do so "the one big blot on the Wilson administration." The ground was taken that the proviso was regarded by its sponsors as a mere precursor of a definite amendment of the "substantive statutes" to exempt one class from the punishment visited upon all other classes for criminal offenses against the law.

"That the original appeal and subsequent warning were made in good faith," says Colonel Harvey, "and were fully warranted, the President can hardly fail now to realize. Nor can he well close his mind to the certainty that, in acting against his declared convictions upon the most precious grounds of expediency, he committed a political blunder of the first magnitude."

Colonel Harvey speaks of the true spirit of the politician now manifest upon the eve of Congressional elections and of "the frightened compromising constructors of the anti-trust measure," and then proceeds with consideration of the open warfare between the administration, led by President Wilson, and the American Federation of Labor led by Samuel Gompers, and organized labor's representatives in "a subservient Congress." Next comes an analysis of the "pernicious provision" and the President's bulldog determination to fight out the issue to a finish regardless of the effect upon his party and himself.

"Surely," says the REVIEW, "no plainer admission of discrimination could be desired than Mr. Gompers's own that 'the purpose of the proviso is to remove the organized workers (and no others) from prosecution.' To the question: 'Is it not clear that the purpose is not class legislation?' we have no occasion to make response. . . . Why the need of this proviso at all if its sole effect is to assure immunity from punishment of persons

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who have broken no law? The Bill of Rights, the Constitution, every living statute, every court, does that. No; this proviso contains much more than mere superfluity. . . . Mr. Taft put his finger on the trickery of the device when he said in his veto measure, 'Under the law of criminal conspiracy acts lawful in themselves may become the weapons whereby an unlawful purpose is carried out and accomplished.'"

"Enact the proviso," says Colonel Harvey, "and immediately the secondary boycott will be legalized; that is, members of a labor-union will not only be privileged, as now (1) to strike, (2) to agree to strike, (3) to act under a leader in a strike, and (4) to apply the direct boycott, but they will have the absolute and exclusive right to obstruct the natural and ordinary interstate trade and commerce of the United States, contrary to the intent of the Constitution and to the purpose of the Sherman law.

"They will be empowered, moreover, to commit criminal acts without restriction and with full impunity. The Attorney-General is forbidden to prosecute any combination having in view the increasing of wages, shortening of hours, or bettering the conditions of labor, 'so that,' in the words of Mr. Taft, 'any organization formed with the beneficent purpose described in the proviso might later engage in a conspiracy to destroy by force, violence, or unfair means any employer or employees who failed to conform with its requirements, and yet because of its originally avowed lawful purpose it would be exempt from prosecution by this act, no matter how wicked, how cruel, how deliberate the acts of which it was guilty.'

"A more shocking proposition from the standpoint of equality before the law cannot be imagined."

Colonel Harvey outlines the position taken years ago by such men as Edmunds, Hoar, Ingalls, Evarts, and others. Senator Edmunds is quoted as having said. "All the proposed amendments were sent to the judiciary committee, which unanimously decided that such an exemption 'would not only be unconstitutional, but would be against the fundamental principles of public policy.' Senator Hoar had this to say in 1901:

"There is a further provision that no labor organization or association shall be liable under the act to which this is an addition. I gave, as chairman of the committee, several full hearings to the representatives of the labor organizations of the country who were interested in promoting this legislation, and also to the representatives of that great organization, the Brotherhood of Locomotive Engineers, and they agreed with me, all of them, that these objections were well taken and that the legislation ought not to pass."

In conclusion Colonel Harvey says:

"It is high time that public opinion should make itself manifest with increasing vigor, as between the class rule of England and the equal government of America."

The question is raised as to whether the great bulk of the honest laboring men of the country desire to profit by unjust discrimination in their behalf.

"THE TRUTH ABOUT LABOR"

(From the Bloomington Pantagraph)

Col. George Harvey, writing under the head, "The Truth About Labor," has the following sensible comment in the June number of THE NORTH AMERICAN REVIEW:

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"What labor wants and all it wants, what it needs and all it needs, what it can profit from and all it can profit from, is equality, not special privilege; justice, not undue advantage. History proves clearly enough that capital not only can always care for itself, but that it thrives best upon uneven opportunities afforded by uneven statutes. One has but to look to England to see who are the real gainers from centuries of class control and class legislation. And one need only contrast the condition of our own steadily progressing, improving American workingmen with that of stolid, sodden foreign laborers to realize the advantages derived from free and equal government.

"It is but natural that Mr. Gompers should regard the warfare of classes as a normal condition and the domination of one over others, by whatever means acquired, an essential to its well-being. In that respect he differs from no other English-born, high or low, in whose very bones is bred the spirit of class rivalry and class seeking of class advantage. But in America still lives and rules the mighty force of intelligent and just-minded Public Opinion, whose disapproval no unduly grasping aggregation of segregated interests, whether of capital, labor, religion, or sect, can withstand for long. No one group could ever hope to check the over-reaching of greed and compel the revision of perspectives which has been wrought during the past few years by the whole people. Let Labor grasp unequal power and arrogate to itself exceptional privileges, as Capital did under the dying generation, and Labor will surely pay a yet heavier penalty, because Labor lacks the accumulated resource of Capital."

This is a clear statement of the ultimate result if the labor leaders continue to demand privileges for themselves that are not given to other classes. Class legislation is a two-edged sword which must finally wound the one who would first use it in his own behalf. There is little doubt, however, that the great rank and file of the labor organizations are to a large extent not in sympathy with these leaders in their efforts to secure class legislation. The average member of the labor-union is fully as law-abiding as any other member of the community, and he would be the first to resent these efforts to grant him privileges above his fellows.

MR. GOMPERS REPLIES

(From the American Federationist)

Colonel Harvey has been revising his psychological map. Last January he spied five clouds on the horizon. By June those clouds had grown into one black threatening mass that overcast the whole horizon. But the Colonel is brave; the Colonel is chivalric; the Colonel is tender-hearted; but he fears psychological cyclones. He yearns to gather into his cyclone cellar all venturesome, "inexperienced Congressmen"—but somehow they will not!

The condition causing Colonel Harvey's perturbation and appeal to the press and to the people is the proposal to exempt working people from the provisions of the Anti-trust laws. A shocking proposition he calls it, in his explosive manner. Now no one would needlessly or carelessly shock into action Colonel Harvey's rhetoric, which has waxed strong and facile in the weekly and monthly philippics that have gained him immunity from ill-considered editorial comment.

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However, the Colonel's troubles are purely psychological, as the "true leadership of Woodrow Wilson" will dispel the clouds engendered by the Colonel's over-stimulated imagination.

Perhaps it is shocking to one who so perfectly represents the anti-reformer's attitude of mind to contemplate the fruition of a great reform. But is that sufficient reason for staying the march of human progress? To be sure, the peace of mind of this matchless inquisitorial litterateur has claims to consideration; but do these outweigh the welfare of millions of people, even though they are just common people?

But this indefatigable writer has been so encouraged by the pleasure that his words have caused many readers of "his class," that occasionally he loses that fine distinction of meaning that makes his magazine such an intellectual joy. This is the main cause of his present state of unrest.

With commendable frankness he confesses he cannot see the difference between organizations for profits and unions of workingmen. With an audacity which has won him the freedom from criticism bestowed upon a master of philippics, but which has made him less careful in distinguishing between the imaginary and the real, he declared, "Nor can anybody." Where Colonel Harvey fails to see and understand, all must fail.

Let not those who do not agree with Colonel Harvey be discouraged at thus being termed nobody. Because of the same psychological tendency toward generalization which precludes his distinguishing between organizations of things and of people, he is unable to distinguish mere individuals.

Under the spell of his stimulated imagination and the temptation of editorial space, the Colonel grows superbly anarchic in his scorn of accepted meanings of words. What's in a word, forsooth? Why should not each employ them after the manner of his own fancy? To be sure, theses, dissertations, volumes, have been written upon labor and capital that ordinary mortals might understand the two. "Pouf! What folly!" gurgles the redoubtable Colonel as his unrestricted imagination soars in psychological ecstasy. "Lo, no one can be without capital!" With a dexterous, daring sweep of his pen, editorial license invokes a metaphor to extricate him from verbal difficulties, and with joy born of creative achievement he proclaims, "Labor is the capital of the workingman."

The existence of the organizations of these *capitalistic workingmen* is not really in danger, proceeds the Colonel, encouraged by the cheer of his individual sophistical vocabulary, with eyes uplifted above the gross material things of industry, piercing overcast heavens and gazing upon a Utopian vision. Why should editorial rapture for the edification of the special interests be deterred by such realities as court decisions which declare unions can be dissolved under the Sherman Anti-trust law, the costs of litigation under that law that make organization too expensive a luxury for workingmen, or the imprisonment of labor men who venture to perform the duties of officials of the labor organizations of fellow-workers?

Colonel Harvey, like a true anti-reformer, questions the good faith of the men and women of Labor who declare that their demands aim at exemption from class prosecution and from prosecution for acts not in themselves unlawful. He "begs to inquire, since when has it been possible to prosecute lawful deeds?" Dear, trustful Colonel Harvey! Of course, it is not possible under the Constitution and the laws of our country to prosecute men for lawful deeds. It is impossible, but it has been done, and the question confronts us—what are we going to do about it?

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America's working people propose to secure their rights through the labor provisions incorporated in the Clayton Anti-trust bill. Colonel Harvey possibly may have to revise his psychological map yet another time. Perchance he may join the mental mourners.

But the editor of THE NORTH AMERICAN REVIEW must make an immediate psychological adjustment in regard to the Brotherhood of Locomotive Engineers, whose members he characterizes as "intelligent" in order to distinguish them from the "other labor organizations" demanding exemption of human beings from laws that apply to commodities. Let Colonel Harvey but drop one eye from the clouds and behold that intelligent organization, together with all the other railroad brotherhoods, joining the American Federation of Labor in insistence upon justice for Labor at the hands of Congress.

Intoxicated by imagination and modesty, the editorial autocrat taxes even his own facile use of tropes when he announces that he will ignore with "becoming placidity of spirit" a personal attack comprising "four explicit falsehoods." Placidity—'tis a most neat metaphor that cloaks a choking tongue, and a Falstaffian imagination that triumphs over four falsehoods.

The principles of Jefferson and the interpretation of the Democratic platform cannot be left to the figurative chameleon-like vocabulary of Colonel Harvey, hot with zeal for the special interests. His placidity causes him to identify reality with pleasing tropes. We, too, are content to appeal to public opinion. Let Colonel Harvey revise his psychological map to conform to manifestations of Public Opinion. Perhaps he may receive several galvanic shocks, but he will learn the fundamental difference between "capital and labor"—that is, the products of labor and human beings.

[We reprint the above editorial as indication of Mr. Gompers's line of argument, or expression, with no comment other than that his statement that our perturbation is attributable to "the proposal to exempt working people [or, strictly speaking, a small proportion of them] from the provisions of the Anti-trust law" is correct.—EDITOR.]

IS SURRENDER INEVITABLE?

(From the Bloomington Pantagraph)

Colonel George Harvey, writing in the July number of THE NORTH AMERICAN REVIEW, has little hope that President Wilson will do otherwise than continue his attitude of subserviency to Samuel Gompers and other leaders of the American Federation of Labor, first noticed when he signed the sundry civil appropriation bill which had been vetoed by President Taft on the ground that it was the most vicious of class legislation. Colonel Harvey points out that the sundry civil bill now pending before Congress contains the following sweeping proviso:

"Enforcement of anti-trust laws: For the enforcement of anti-trust laws, including not exceeding $10,000 for salaries of necessary employees at the seat of government, $300,000; provided, however, that no part of this money shall be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view the

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increasing of wages, shortening of hours, or bettering of hours, or bettering the conditions of labor, or for any act done in furtherance thereof not in itself unlawful."

Here is the same provision that made the former sundry civil bill so obnoxious and which President Wilson himself admitted at that time was undesirable, but he signed the bill on the ground that there were other funds available for prosecuting this class of cases.

Colonel Harvey refers to the facts that the House has meekly acquiesced in everything Gompers and his crowd have demanded and the Senate committee has approved of the above proviso in the sundry civil bill. He asserts that if the President would simply say that he would veto the bill when it should come before him there would be nothing for the Democratic Senators to do but strike out the provision. But Colonel Harvey feels that he will do nothing of the kind. Having shown the white feather to the labor leaders, the President is more than likely to make his surrender complete and sign the bill, with possibly another word of apology for doing so, as was the case when he signed the first sundry civil bill.

Colonel Harvey has more than made good as a prophet in matters concerning the destiny and acts of President Wilson, and his prediction that the President will make his surrender to the labor leaders complete also seems destined to be fulfilled. Probably nothing that President Wilson has done has so disappointed and disgusted his well-wishers, both within and without his party, as his apparent insincerity on the question involved in the rider to the sundry civil appropriation bill and the labor exemptions in the anti-trust bills. Such a policy may be politically expedient for the time being, but political expediency is a poor excuse in a matter involving such a fundamental principle as equality before the law.

GOOD AND BAD BUSINESS MEN

(From the Johnstown Tribune)

It must compel a melodious gurgle from Colonel George Harvey, discoverer of Woodrow Wilson, as he reads and rereads the President's formal proclamation exempting certain rich men from the pains and penalties of his displeasure. It may be recalled that Mr. Wilson, when a candidate for President, requested that Colonel Harvey ease up a bit in his pro-Wilson eulogies, the reason assigned being that the erudite Colonel was regarded as the representative, in letters, of the organized and predatory rich.

Well, it so happened that Mr. Wilson was elected President; not so much through his own energies or vote-getting as it was due to the political larcenies of the Barneses and Penroses of the Republican party. Mr. Wilson plodded along, using post-offices and other pie to complete a programme of legislation, occasionally delivering some grammatical rot with reference to the "new freedom" and other discoveries of Noah and Moses. All the time the awful rich and the vicious men of big business were held at arm's length.

Comes along one Theodore Roosevelt with a profound and sensible argument for big business, little business, and all sorts of legitimate business. Instead of the Wilson plan of forcing cutthroat competition, Roosevelt argues that we should take business of all kinds as we find it and by proper

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regulation bring about fair trade and a fair division of profit, a reasonable and proper share to go to those who create wealth, the wage-earners.

Immediately our friend Wilson sends for the men of big business. With proper bulletining of their visits to the White House, the men of big business come and go. Then comes the hold-up of the nominations of Jones and Warburg, Jones of the Harvester and Zinc Trusts, and Warburg of all the trusts. Evidently peeved, just a trifle, the President gives his personal certificate that not all the men of business are vicious or bad, the ones whom he favors being all of the very, very good kind

So we imagine the chucklings of Colonel Harvey, who said of the Wilson foreign "policy," "As a policy, well, as a policy it is such as it is." The Harvey idea that business men may be patriotic and honest is clearly proven. We have the President's word for it.

AS SEEN IN TEXAS

(From the Waco Times-Herald)

But for George Harvey not more than one American in a thousand would ever have heard of the man who now occupies the White House. Harvey was at the time the editor of *Harper's Weekly* and he boosted Wilson something after the manner employed by the *Times-Herald* in behalf of good old Waco dirt. It took in New Jersey and later spread to the whole country, although let us not forget that but for the two-thirds rule in the Democratic convention at Baltimore Champ Clark would now be the President of the United States. It will be recalled that Mr. Wilson broke somewhat with Colonels Harvey and Watterson at a conference held during the campaign, but it did not involve the integrity of either of the three—rather a difference of methods. Colonel Harvey seems to think that the Democrats will need all the help they can get in the Congressional elections. Consequently, in the July NORTH AMERICAN REVIEW, he makes an impassioned appeal to "Our Colonel" Roosevelt to come to the rescue, beginning with the text, "Macedonia cries to Armageddon for help from Gideon's band!"

So endeth Colonel Harvey's greetings to "the Colonel." Reading between the lines is not necessary to a revelation of Colonel Harvey's opinion of what's to befall the Democratic party in the event "the Colonel" doesn't interfere with its descent into Hades, so to speak. Much depends on the situation at the time the electorate goes to the polls.

Mr. Bryan went to the Baltimore convention, it is generally believed, expecting to pick up the nomination, but it got away from him. The Democrats went ahead with their tariff programme, revising downward and free-listing quite extensively. They later revised the banking and currency law, thereby rendering it practically impossible for "the interests," as they are called, to start another panic. But there has been depression in the business world. The charge comes from the opposition that tariff-tinkering has done it. The fairest thinkers insist that the depression comes from the weight of uncertainty which rests on the business world by reason of proposed anti-trust legislation. Be the cause what it may, the outlook at this time is gloomy for the Democrats, clearly indicated in such elections as have been held in various parts of the country. George Harvey comes on the scene to tell "the Colonel" that it is in his power to save the

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Democrats from almost certain defeat; all he has to do is to go on with his Progressive performances and thus render innocuous the G. O. P. elephant. Had Mr. Wilson and the Congress quit with the passage of the banking and currency law, "the Colonel" would now be a negligible factor in American politics. But they have been playing with fire these past six months, and it's up to "the Colonel" to determine their fate, unless there should be a quick revival of business on the adjournment of the Congress, which should occur before the arrival of the first September morn. The two intervening months could work a wonderful transformation. But without a decided business revival, Mr. Wilson will suffer the fate of Cleveland during his second term and of Taft during his only term, to wit: an opposition House midway of his term.

THE RATIONAL VIEWPOINT

(From the Springfield, Missouri, Republican)

In the current issue of THE NORTH AMERICAN REVIEW Editor Harvey takes occasion, in extending "Greetings to Our Colonel," to impress upon the latter two things that, in the hurry and flurry of getting himself re-established for the summer at Sagamore Hill, he possibly has overlooked, namely, the almost total disappearance of the Bull Moose, what time they were left to shift for themselves during his wanderings in the wilds of South America, and the awakening of Republicans to the fact that his leadership no longer is regarded as indispensable to Republican success in 1916.

It takes Harvey to tell it.

We know Colonel Harvey is right as to the decline in numbers of the Moosers—the facts and figures support him—but whether Republicans are so offended at Colonel Roosevelt for his folly and faithlessness in bolting the Republican party and organizing the Democratic Aid Society in 1912 that they will have none of his leadership in future national campaigns time alone can determine, though from every rational point of view it would appear as if Colonel Harvey has the correct dope.

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